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ABSTRACT

Correctional services can best be provided through local, community-based programs. The construction and operation of adequate field supervision services must be emphasized in California, corresponding to a de-emphasis of institutionalization. Task force reports on probation and parole are presented separately, giving extensive general and specific recommendations for program improvements in these areas, articulating goals and principles for program models, and discussing current issues and the use of community resources. Background information and research methodology are included, and charts present the data. A related report is available as VT 016 610 in this issue. (AG)

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Coordinated California Corrections:

FIELD SERVICES

PROBATION

PAROLE

Correctional System Study

BOARD OF CORRECTIONS
HUMAN RELATIONS AGENCY

July, 1971

VT016583

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CALIFORNIA CORRECTIONAL SYSTEM STUDY

Final Report

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Evaluation Authority

State of California

Ronald Reagan, Governor

Sacramento

JULY, 1971

STUDY STAFF

Robert E. Keldgord, Program Director

Robert O. Norris, D. Crim., Associate Program Director

Miss Patricia A. Hagen, Secretary-Office Manager

Probation Task Force

Richard P. Gist, Director

Jack Allbright, Consultant
Mrs. Joyce M. DeVore, Consultant
Harry A. Dudley, Consultant
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David R. Matsler, Consultant
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Wes DeWeert, Consultant
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Miss Sylvia Newberry, Consultant
Joseph W. Phelan, Consultant
Harley L. Ross, Consultant
Miss Marilyn Stewart, Consultant
Miss Lucille Toscano, Consultant
Joel A. Ungar, Consultant

Juvenile Institution Task Force

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Mrs. Edith Elkins, Consultant
William Pagle, Consultant
Lawrence Stump, Consultant
Leonard Moncure, Consultant
Willie Richardson, Consultant

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Edward A. Veit, Director

Mrs. Willa J. Dawson, Consultant
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William L. Kime, Consultant
Perry M. Johnson, Consultant

Parole Task Force *

Tully McCrea, Co-Director
Mrs. Helen Sumner, Co-Director

R. Barry Bollensen, Consultant
Jeffrey Glen, Consultant
Frederick Howlett, Consultant
Walter Luster, Consultant
Arnold Pontesso, Consultant
Edward F. Tripp, Consultant
Lee F. Cumpston, Consultant
Don Gottfredson, Ph.D., Consultant
Dean R. Lantz, Consultant
K. W. Ostrom, Consultant

System Task Force

Robert M. Brown, Jr., Co-Director
Donald L. Garrity, Ph.D., Co-Director

Special Consultants

Neeley Gardner
Daniel Glaser, Ph.D.
Richard A. McGee
Spencer Williams

Editor

Peter G. Garabedian, Ph.D.

Artist

Mrs. Lily Wong

Clerical Staff

Mrs. Lorraine Cook
Mrs. Shirley Houser
Miss Kathy Mackey
Miss Beverly Campbell

*The Parole Task Force Report was prepared, under contract, by the National Council on Crime and Delinquency.

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INTRODUCTION: FIELD SERVICES TASK FORCE REPORT

It is the judgement of this study that correctional services can best be provided if: (1) they are community-based (i.e. non-institutional), and (2) the delivery of such services is accomplished at the local level of government.

In respect to the value of community-based programs, the Corrections Task Force of the President's Commission on Law Enforcement and Administration of Justice observed:

> "A key element...is to deal with problems in their social context, which means in the interaction of the offender and the community. It also means avoiding as much as possible the isolating and labeling effects of commitment to an institution. There is little doubt the goals of reintegration are furthered much more readily by working with an offender in the community than by incarcerating him".[1]

Support for community-based correctional programs had earlier been expressed in a 1964 study conducted by the Board of Corrections, in which it was observed:

> "The circumstances leading to delinquent and criminal behavior are the product of life in the community, and the resolution of these problems must be in the community. This proposition is based on the assumption that local treatment has an inherent advantage since it keeps the offender close to his family and the important social ties that bind him to conformity in the community."[2]

In respect to this study's view that the best correctional services can be provided at the local level, support may also be found in the aforementioned 1964 study by the Board of Corrections, which reported:

> "Modern correctional theory takes the position that the most effective correctional service should and must be offered at the local level if it is to achieve the greatest rehabilitative impact on the offender."[3]

Unlike programs of institutionalization, which, by their very nature, preclude maximum utilization of community resources, the field supervision component of correctional services appears to have the greatest potential for incorporating community-based support, as well as the greatest potential for delivering services at the local level. This thought was reinforced by the President's Commission on Law Enforcement and Administration of Justice which suggested that field services are best able to reintegrate the offender into society and to restore him to productive, law-abiding citizenship. In accordance with views expressed in previous studies, and also in accordance with data collected in the course of this study, it is suggested that correc-

tions can most effectively maximize its investment by concentrating its efforts and resources on locally operated community-based supervision programs.

In terms of volume, it is apparent that the vast majority of California's correctional population participates in field supervision programs, rather than in institutional programs. In April 1970, California had a correctional population of some 274,000 persons; of this number, some 221,000 or about 81%, were the subjects of field supervision, under the auspice of either probation or parole.[4] Data furnished by the Bureau of Criminal Statistics reveal that, for every 100 Superior Court convictions, 66 persons are placed on probation; for every 100 referrals to Probation Departments by Municipal Courts, 70 defendants are awarded probation. In terms of juvenile corrections, data reveal that for every 100 youths who appear before a juvenile court, 62 youngsters are granted probation.[5]

When viewed from an economic vantage point, it is apparent that field supervision is much less costly than institutionalization. According to the Corrections Task Force Report of the President's Crime Commission, the average yearly cost, nation-wide, of confining a youth in an institution was $3,400 in 1966, while probation supervision normally cost only about one-tenth of that amount.[6] Current California data support this finding: the average cost of maintaining a ward in a State operated youth facility in the fiscal year 1969-1970 was $6,371 ($6,754 for fiscal year 1970-71) while parole supervision was provided for only $580 per year per ward.[7]

Whether measured in terms of human values (such as preservation of the family unit) or in terms of dollar savings, local field supervision of offenders, incorporating community resources, represents the most effective and least expensive means of dealing with both juvenile and adult offenders.

A review of the professional literature, along with data collected in the course of this study, clearly identifies certain ingredients which are essential for the construction and operation of adequate field supervision services; among these ingredients are:

1. Clear designation of goals and policies and adherence to such goals and policies.

2. Adequate manpower, both in the numbers of field supervision officers and in the appropriate training of such officers.[8]

3. Cooperation of key social institutions, such as the family and the school.

4. Employment opportunities for probationers and parolees; inherent in this ingredient is the necessity for the development of a program whereby an ex-offender's past criminal misconduct may not constitute a barrier to employment.

5. On-going research to determine effective classification procedures, and to determine differential treatment practices which can be

applied successfully to various types of probationers and parolees.

6. Public education about the problems of reintegrating offenders into the community, in order to elicit the community's cooperation in carrying out specific field supervision efforts.

7. Improved administrative structure and practices.

8. Improved staff development, through intra and extra mural training.

9. Expanded and improved diagnostic and mental health services for probationers and parolees.

10. Improvements in the law, particularly in respect to current statutory restrictions upon the granting of probation.

Field supervision in California runs the gamut from highly sophisticated, experimental endeavors to supervision which is, in reality, a myth. Data collected in the course of this study indicate that, along with a proportional increase in the use of probation in recent years,[9] there has been some qualitative increase in field supervision, probably due, in large measure, to the 1965 enactment of the California Probation Subsidy Law. However, as will be argued in the Probation Task Force Report, probation (and early parole) can be used to an even greater degree; similarly, all field services can certainly increase their current effectiveness.

It is the view of this study that, second only to efforts to divert inappropriate persons from the correctional system, California corrections should continue to place primary emphasis upon field supervision, and that such continued emphasis on field supervision must include development of the necessary ingredients itemized above.

As the field of corrections is enabled to develop and establish enriched, community-based, locally operated programs, it is believed that commitments to institutions in general, and to State institutions in particular, will continue to decrease. As institutionalization is de-emphasized and savings are realized from the closure of some State facilities, these savings should be invested in community-oriented field supervision programs, to be operated locally under conditions and standards determined by the State in cooperation with the counties.

In order to operationalize a system which delivers maximum field services, it is held that the primary role of the State should be that of an enabler--to provide subvention, training, research, coordination, and consultation. Concurrently, local government should be primarily responsible for the delivery of correctional services, giving emphasis to those services which incorporate local community resources.

FOOTNOTES

[1]President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections, (Washington: U. S. Government Printing Office, 1967), p. 27.

[2]Board of Corrections, Probation Subsidy, State of California (Sacramento, 1965), p. 135.

[3]Ibid., p. 3.

[4]Data provided by Bureau of Criminal Statistics, Department of Corrections, and Department of Youth Authority, State of California.

[5]Bureau of Criminal Statistics, Adult Probation: 1969, State of California (Sacramento, 1969), p. 30; Bureau of Criminal Statistics, Juvenile Probation and Detention: 1969, State of California (Sacramento, 1969), pp. 1, 64.

[6]President's Commission on Law Enforcement and Administration of Justice, op. cit., p. 28.

[7]Data provided by Department of Youth Authority.

[8]The reader is referred to Perspectives on Correctional Manpower and Training, published by the Joint Commission on Correctional Manpower and Training, Washington, D. C., 1970.

[9]According to data published by the Bureau of Criminal Statistics in Crime and Delinquency in California: 1966, State of California (Sacramento, 1966), p. 192; Bureau of Criminal Statistics, Crime and Delinquency in California: 1969, State of California (Sacramento, 1969), p. 126; and Bureau of Criminal Statistics, Juvenile Probation and Detention: 1969, op. cit., p. 9, there were 33,700 adults and 79,582 juveniles on probation in 1965. By 1969, these figures had increased to 55,100 and 94,724 respectively.

CORRECTIONAL SYSTEM STUDY

PROBATION TASK FORCE REPORT

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SUMMARY OF RECOMMENDATIONS

1. Written statements of goals and objectives should be formulated by each probation department in keeping with the mission of corrections (the reduction of further illegal behavior on the part of offenders), and should include an emphasis on reintegrating the offender into the community.

2. As quickly as adequate alternative community resources can be developed, probation departments no longer should supervise dependent children and those called "pre-delinquent" (Sections 600 and 601 of the Welfare and Institutions Code, respectively). Departments should not supervise persons placed on probation merely for the purpose of collecting money nor supervise those persons whose sole offense is public drunkenness.

3. Section 1203 of the Penal Code should be amended to remove restrictions on granting probation because of an offender's prior convictions, and to reduce other restrictions on granting probation.

4. Standard conditions of probation should be at a minimum and should be relevant to each individual client in terms of his needs, abilities, personality, offense, and the protection of society. Conditions imposed should be realistic and therefore enforceable by probation officers. Although special conditions may be appropriate in individual cases, standard conditions should be limited to (1) a prohibition of any law violations; (2) requirements for maintaining contact with the officer in the way prescribed by the officer; and (3) keeping the officer informed of residence or whereabouts.

5. Recommendations to courts by officers and their supervisors on supervision cases should be based on an evaluation of all pertinent data and should be made without influence from "special interest" or other sources outside the department.

6. Each department should make use of a classification system, with specific differential treatment implications. To the degree necessary, the State should assist the counties in accomplishing this.

7. Probation supervisors and administrators should provide a working environment which will encourage staff to develop caring relationships with probationers under their supervision.

8. Clients should be involved in the planning of their probation programs, beginning at the earliest possible time and continuing on through the term of probation.

9. Probation departments should begin expanding the roles and capabilities of their staffs as "services managers".

10. Whenever appropriate, probation supervision should be involved with offenders' family units, not just with offenders alone, in order to further the reintegration process.

11. *Probation departments should adopt an administrative policy requiring the return of supervision cases to the court with a recommendation for termination of nonvoluntary supervision at a time not exceeding two years, unless there is evidence that the protection of the community will be substantially decreased by so doing. If there are compelling reasons for the continuance of supervision, these reasons should be brought to the attention of the court at a hearing in the presence of the probationer and his counsel.*

12. *Probation departments, assisted as necessary by the State, should make available greatly expanded mental health services for probationers.*

13. *Probation departments, assisted as necessary by the State, should make available adequate placement resources in the community.*

14. *Probation departments, assisted as necessary by the State, should develop and make use of existing drug abuse programs to meet vastly increased needs for such resources.*

15. *Probation departments, assisted as necessary by the State, should provide emergency financial aid to clients in need as a regular part of departmental programs.*

16. *Probation departments should develop public information programs that will assist in both enlightening the community and involving it in the role probation supervision plays in the justice system. The State should provide consultation services to assist the counties in developing such programs.*

17. *Each probation department should develop its own in-service training programs, aided as necessary by the State, geared to provide relevant, individualized, and ongoing training for all levels of staff. Primary attention should be given to developing trainers within the department, particularly first line supervisors.*

18. *Probation departments should strive to make better use of available training and professional development programs in the community, e.g. by contracting for services and by encouraging and enabling their staff to participate in such programs.*

19. *The State should greatly increase its role in providing training needed by the counties, particularly specialized training programs.*

20. *The State should immediately implement the CO-ACT concept of a central unit to coordinate statewide training and develop a network of trainers and training resources from all appropriate sources.*

21. *The State, in cooperation with the counties, should develop a certification program for all probation officers.*

32. Probation departments should create a case-carrying position equivalent to the first level supervisor in salary and other benefits.

33. Certified probation officers should be able to transfer to in-grade positions or compete for promotional opportunities in other probation departments or other similar parts of the correctional system, provided they meet the necessary requirements.

34. The State and counties should coordinate their retirement systems so that a worker can combine his benefits when transferring between agencies.

35. Departments should greatly expand their use of nonprofessional workers, including volunteers, para-professionals, ex-offenders, and students, to assist in probation supervision. They should, at the same time, plan carefully how to recruit, train, and supervise these workers.

36. The chief probation officer should be appointed by and be responsible to the board of supervisors; Sections 575 and 576 of the Welfare and Institutions Code and Section 1203.6 of the Penal Code should be amended accordingly.

37. The State of California should subsidize county-operated probation services in accord with the overall subsidy program specified in the System Task Force Report. Essentially, that Report recommends subsidy as follows:

    a. 75/25 -- probation supervision and investigation, including day care centers and other juvenile non-residential programs. This means that the State would pay 75% of the actual costs and the counties 25%.

    b. 60/40 -- "open" institutions (e.g. group homes or facilities which send youth to school in the community; also jail work furlough programs).

    c. 40/60 -- "closed" but short-term and community-based institutions (i.e. facilities to which persons can not be committed more than six months and which are both adjacent to and have a high degree of interaction with the community).

    d. 25/75 -- other institutions (e.g. juvenile institutions which are not short-term and not community-based; adult jails, including branch jails and honor camps, minus separate work furlough facilities).

38. Assuming that the above recommendation is operationalized, counties should pay the State 75% of the "career costs" (as defined in the System Task Force Report) for any youths or adults committed to the State.

29. *The probation subsidy program, as part of the overall correctional subsidy program, should be reviewed annually, to consider cost fluctuations and to effect necessary adjustments.*

30. *The State should provide increased consultation to the counties in respect to county-operated probation subsidy programs.*

31. *The State, in cooperation with the counties, should develop a set of minimal standards for all probation services that are subsidized. Thereafter, the State should enforce the standards, i.e. no subsidy should be granted to a program which does not meet State standards.*

32. *Probation departments, assisted as necessary by the State, should conduct programs in research and evaluation designed to improve the quality of probation operations.*

33. *Departments should be able to contract with the State to provide probation supervision as well as accept contracts from the State to provide parole services. Permissive legislation which would enable the State and counties to enter into such contracts should be enacted.*

34. *Where better services can be provided at lower cost, counties should consider contractual agreements with neighbor departments (or possibly consider consolidation of services) for probation supervision. Enabling legislation should be enacted to provide for such agreements.*

35. *Departments should engage in long range planning about the implications of supervising large numbers of environmental pollution violators and consumer fraud violators, both individuals and corporations.*

"Probation is a term that gives no clue
to what is done by way of treatment."

Healy and Bronner:

Delinquents and Criminals -
Their Making and Unmaking

CHAPTER I

INTRODUCTION

I. PROBATION IN CALIFORNIA

Probation in California faces monumental problems as the size of its caseload mounts steadily--problems largely related to the highly complex economic difficulties faced by county and State government. However, now may be a propitious time for movement forward because moments of great progress often arise out of deep financial troubles. The adversity faced today demands that solutions be found. To maintain the status quo is to retreat into mediocrity.

Many of the key issues cited in this Report focus upon the changing relationships of State and county government, particularly the increased emphasis on providing direct services to the offender by the counties and increased emphasis on the part of the State for providing supportive and enabling services to the counties in the form of subsidy, planning, training, research and information, standard setting, inspections and consultative services. Other key issues include staff training, the use of non-professionals in the probation setting, increased workloads, improved classification and treatment, and the reintegration of offenders into the community.

Probation is often seen as first among the several components of corrections because it begins the series of correctional services used by the courts for sentenced offenders. To many persons, probation represents the least restrictive punishment and the least cost to the taxpayer. In fact, many of the uninformed look on probation not as punishment at all, but rather as a form of leniency, "second chance", or "lucky break" for the offender. Fortunately, this misunderstanding gradually is being eradicated as probation becomes more effective and involves more of the general public.

In the 68 years since California law first made provision for probation, there has been a tremendous growth in this service. Today, of some 274,000 offenders who comprise California's correctional population, about 200,000 are probationers.[1] Because the law provides for probation services to be operated by the counties, the effect of "home rule" is plainly visible. As a result, a wide variety of service patterns exists, running the gamut from a service performed totally by one man on a part-time basis, to the largest probation department in the nation with over 2,000 officers on its staff. Service provided by the 60 departments within the State varies from excellent supervision to the opposite extreme of no contact whatsoever.

An adult offender may come under the supervision of the probation officer following conviction for an offense which the court sees as meriting stronger measures than a suspended sentence or a fine, but not as stringent a measure as incarceration. An order for supervision is also normally made on the basis of a review of the offender's past record and social history. A common variation of probation is the "split sentence", i.e. imposing custody in the county jail as a condition of probation (this is done in over 40% of the cases granted probation by superior courts[2]). A wider range of dispositions are available for the juvenile who may be handled informally on a first offense, placed on informal probation without having to appear in court, be ordered by the court to a term of probation limited to six months without having been made a ward of the court, or be placed on formal probation. Again, institutionalization may be used by the court, with the juvenile placed in a juvenile hall or county operated ranch, camp or school or in some other facility, including privately-operated institutions or foster homes.

Probation terms imposed on adults in superior courts are almost entirely in the two to three year range, with twice as many three year terms being imposed as are two year terms.[3] However, a quarter of the terminations of superior court probation are made prior to the expiration of the term.[4] No data are available concerning lengths of terms for lower court cases. In the case of juveniles, Section 607, Welfare and Institutions Code, provides that the term of wardship can extend almost until a youth's 23rd birthday, but generally it is terminated no later than the 18th birthday. Almost 30% of juvenile probationers are dismissed from supervision in six months to a year and about the same percentage are dismissed after a year to a year and a half of supervision. By the time two years from the date of wardship has elapsed, 80% have been dismissed from probation.[5]

II. TRENDS IN PROBATION

According to the Bureau of Criminal Statistics, on December 31, 1969, there were 102,042 active adult jurisdictional probation cases in California.[6] Of these, 55,124 (54%) were granted in the superior courts and 46,918 (46% were granted in the lower courts. In addition, there were 17,232 active courtesy probation cases under supervision. On the same day there also were 88,104 active juvenile probation cases in California.[7]

Table I shows the number and ratio of adults granted probation in the superior courts between 1960 and 1969. The data clearly indicate an upward trend, both with respect to the number of persons under supervision, and to the ratio of persons granted probation rather than confinement in a correctional institution or some other alternative. In 1960, 44.4% of the superior court convictions were granted probation; in 1969 this ratio had increased to 65.6%, representing the increasing trend in the number of probationers under supervision.

Table II shows the trend for the number of delinquency petitions filed, declarations of wardship, and first commitments to CYA institutions.

TABLE I

SUPERIOR COURT DEFENDANTS CONVICTED, ADULTS GRANTED PROBATION AND PROBATION CASELOAD, 1960-1969

Calendar Year	Superior court defendants convicted and sentenced	Adults granted probation[a]	Percentage of adults placed on probation	Caseload December 31
1960...	24,800	11,000	44.4	26,900
1961...	28,000	12,600	45.0	28,300
1962...	27,000	11,400	42.2	28,700
1963...	28,400	13,500	47.5	30,800
1964...	27,800	14,200	51.1	32,000
1965...	30,800	15,700	51.0	33,700
1966...	32,000	16,800	52.5	36,000
1967...	34,700	20,300	58.5	39,500
1968...	40,500	25,000	61.7	46,300
1969...	50,600	33,200	65.6	55,100
Percent change 1969 over 1960	104	202		105

[a]Based on data submitted by district attorneys.

Source: Bureau of Criminal Statistics, Crime and Delinquency in California: 1969, State of California (Sacramento, 1970), p. 126.

TABLE II

NUMBER OF INITIAL DELINQUENCY PETITIONS FILED, DECLARATIONS OF WARDSHIP AND FIRST COMMITMENTS OF JUVENILE COURT WARDS TO CALIFORNIA YOUTH AUTHORITY INSTITUTIONS, 1956-1969

Year	Initial petitions filed[a]		Declarations of wardship[b]		First commitments of wards to CYA[c]	
	Number	Percent change from previous year	Number	Percent change from previous year	Number	Percent change from previous year
1956 . . .	22,145	21.7	14,417	15.4	2,539	18.4
1957 . . .	24,057	8.6	16,473	14.3	2,656	4.6
1958 . . .	25,227	4.9	17,993	9.2	3,023	13.8
1959 . . .	26,171	3.7	18,920	5.2	2,986	- 1.2
1960 . . .	28,401	8.5	19,444	2.8	3,350	12.2
1961 . . .	28,187	- 0.8	20,163	3.7	3,851	15.0
1962 . . .	30,778	9.2	22,782	13.0	3,739	- 2.9
1963 . . .	33,401	8.5	24,597	8.0	4,358	16.6
1964 . . .	34,229	2.5	24,842	1.0	4,157	4.6
1965 . . .	35,614	4.0	25,646	3.2	4,632	11.4
1966 . . .	37,344	4.9	26,247	2.3	4,119	- 11.1
1967 . . .	43,782	17.2	28,311	7.9	3,571	- 13.3
1968 . . .	49, 688	11.2	30,535	7.8	3,163	- 11.4
1969 . . .	57, 978	16.7	35,451	16.1	2,778	- 12.2

[a]Petitions filed as the intake disposition of new referrals. Excludes supplemental petitions and also filings following the re-referral of active unofficial cases.

[b]Initial adjudications of wardship for delinquent acts as provided in Section 725-b of the Welfare and Institutions Code. Section 725 also provides for probationary periods without adjudications of wardship. The declarations of wardship accounted for in this table may be based on initial or secondary petitions.

[c]First commitments to institutions received on commitment from California juvenile courts. Criminal court commitments and juvenile court recommitments are excluded.

Source: Department of the Youth Authority

The data indicate that the number of wardships (formal probation cases) has steadily increased since 1956, from 14,417 in that year to 35,451 in 1969. These figures do not include juveniles placed on probation for a period of six months under Section 725(a) of the Welfare and Institutions Code, nor do they include the number of juveniles placed on "informal" probation without court action. The data shown in Table II also indicate that since 1965 there has been a decided shift away from institutionalizing youthful offenders in favor of keeping them under supervision in the local community. Between 1968 and 1969, the number of juvenile cases placed on probation increased by 16.1%, while CYA juvenile commitments during the same period decreased by 12.2%. The declining institutional population is discussed in greater detail in the Juvenile Institution Task Force Report.

In short, the trends for both juveniles and adults clearly show an increasing probationer population.

Characteristics of Juvenile Probationers

According to the Bureau of Criminal Statistics, in 1969 there were 41,556 juvenile court dispositions in 56 California counties.[8] Of this number, 22,996 juveniles were declared wards of the court and placed on probation. The median age of the juvenile probationers was slightly over 15 years.

Table III summarizes the characteristics of 720 juvenile probationers under supervision in the 15 study counties who completed questionnaires. The probationers are grouped according to whether they were being supervised in reduced subsidized caseloads or under non-subsidy supervision. In general, the juveniles in subsidy caseloads were somewhat more likely to be male, somewhat older, and more likely to be black. It can be seen that relative to the racial backgrounds noted in the section on staff profiles, probation officers from minority racial groups are definitely under-represented. Whereas about 45% of the juvenile clients are drawn from racial minority groups, only 16% of the probation officers are drawn from the same groups. The final point to note in Table III is that the juveniles being supervised in subsidy caseloads had been under supervision for longer periods of time than their counterparts in the non-subsidized caseloads. Forty-seven percent of this group, compared to 28% of the non-subsidy group, had been on probation for at least one year prior to the time of the Task Force survey. While at this point it is only conjectural, it may be that the more serious cases, requiring more intensive supervision, are placed in the subsidized caseloads.

Characteristics of Adult Probationers

In 1969 there were a total of 33,188 adults placed on formal probation from the superior courts in California.[9] This represented an increase of 32% over the 1968 figure of 25,055.

Table IV summarizes the characteristics of the adult probationers in the 15 counties studied by the Task Force. The clients in the subsidized

TABLE III

CHARACTERISTICS OF JUVENILE PROBATIONERS

IN 15 SAMPLE COUNTIES

(Percentage Distribution *)

CHARACTERISTIC	Total (N=720)	Subsidy (N=280)	Non-Subsidy (N=440)
Sex:			
Male	76	81	72
Female	24	19	28
Age:			
Under 17	60	56	63
17-18	35	39	33
Over 18	5	6	4
Race:			
White	56	52	58
Black	21	25	18
Brown	19	18	20
Oriental	1	--	1
American Indian	2	3	1
Other	2	2	2
Time Supervised:			
Under 7 months	33	25	38
7 Months - 1 year	31	28	32
1 to 2 years	18	23	15
Over 2 years	18	24	15

* Percentages may not add to 100% because of rounding.

TABLE IV

CHARACTERISTICS OF ADULT PROBATIONERS

IN 15 SAMPLE COUNTIES

(Percentage Distribution *)

CHARACTERISTIC	TOTAL (N=1,327)	SUBSIDY (N=250)	NON-SUBSIDY (N=1,077)
Sex:			
Male	80	83	79
Female	20	17	21
Age:			
Under 19	14	19	12
19-20 years	14	19	13
21-25 years	32	38	31
26-35 years	24	17	25
36-50 years	13	5	15
Over 50 years	4	2	5
Race:			
White	59	58	59
Black	22	23	22
Brown	16	17	15
Oriental	1	--	1
American Indian	1	1	1
Other	1	1	1
Time Supervised:			
Under 7 months	24	19	25
7 months - 1 year	28	30	27
1-2 years	29	27	30
Over 2 years	19	24	18

* Percentages may not add to 100% because of rounding

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caseloads were somewhat more likely to be males; sex differentials between the subsidized and non-subsidized units were slight. Unlike the juvenile probationers, adults under subsidy supervision were younger than those in non-subsidy supervision. However, as was true of juvenile probationers, the adults in the subsidy units had been under supervision for a longer period of time than those in the non-subsidy units. There were no significant racial differences between the two groups, although, as was the case with juveniles, proportionately there were more adult probationers drawn from racial minorities than probation officers from the same groups.

III. SUMMARY

With regard to probation supervision, this Task Force had three major objectives: (1) to describe probation supervision as is is today, (2) to suggest what it should be in the future, and (3) to recommend ways of moving from today's position to that of the future. Chapter II will describe the methodology used in the study. This will be followed in Chapter III by a condensed "model" of how probation should operate. Chapters IV and V will describe the current system as reflected by the data collected in questionnaires and interviews with staff members, department heads, clients, judges, district attorneys and public defenders, law enforcement, juvenile justice commissions and a probation committee. Because of its importance, probation subsidy is discussed separately in Chapter V. Program highlights as described in Chapter VI will present a sample of good and progressive programs with probationers. Finally, the Report will conclude with a summary and highlighting of the principle issues in probation supervision today together with the Task Force's recommendations for moving from the current system to the model.

FOOTNOTES

[1]Bureau of Criminal Statistics, Adult Probation: 1969, State of California (Sacramento, 1970); Bureau of Criminal Statistics, Juvenile Probation and Detention: 1969, State of California (Sacramento, 1970).

[2]Ibid., Bureau of Criminal Statistics, Adult Probation: 1969, p. 17.

[3]Ibid., p. 16.

[4]Ibid., p. 27.

[5]Bureau of Criminal Statistics, Juvenile Probation and Detention: 1969, op. cit., p. 40.

[6]Bureau of Criminal Statistics, Adult Probation: 1969, op. cit., p. 6.

[7]Bureau of Criminal Statistics, Juvenile Probation and Detention: 1969, op. cit., p. 9.

[8]Ibid., p. 36. The reader should keep in mind that these figures refer to the dispositions of juvenile courts, and not to referrals or number of petitions files; this accounts for the discrepancies between these figures and those in Table II.

[9]Bureau of Criminal Statistics, Adult Probation: 1969, op. cit., p. 4.

CHAPTER II

METHODOLOGY

Because of the vast size of the probation population in California, it was patently clear to the Probation Task Force that a method of sampling the State had to be devised. The sample used in the report, Probation Study[1], by the Board of Corrections in 1964 still appeared to be a valid and representative one; hence, it was again adopted. Fifteen counties in California, representing all sizes and most geographical areas of the State from Oregon to the Mexican Border, were studied. The counties included in the sample were: Alameda, Del Norte, Fresno, Humboldt, Imperial, Los Angeles, Sacramento, San Bernardino, San Francisco, San Joaquin, Santa Barbara, Santa Clara, Sutter, Tehama and Tulare.

Seventeen probation departments were included, as the Counties of San Francisco and Santa Clara have separate adult and juvenile departments. Because of its size, a sub-sample was devised for Los Angeles County which enabled the Task Force to survey four offices which covered a wide geographical, economic, and ethnic range. The four offices had responsibility for about one-quarter of the total clients and staff in the county.

One of the first steps taken by Task Force staff was to review the most significant literature available on probation. This review covered four statewide studies done previously on probation in California,[2] Youth Authority research reports on probation, reports from a number of probation departments, and professional journals and books. In addition, extensive use was made of annual reference tables and other data from the State Bureau of Criminal Statistics.

Another preliminary step was to talk with a number of probation staff members for the purpose of discussing probation as it now exists and what probation supervision should be like in the future. The discussants held positions as line workers, supervisors and administrators in probation departments in various parts of the State and provided the Task Force with valuable insights into a number of important issues facing probation today. This information was helpful in developing the overall study strategy.

A staff questionnaire was developed, similar to those used by other components of the study. It was distributed to chief probation officers and all personnel with supervision assignments in the 15-county sample. A total of 982 staff questionnaires were distributed and 892 returned, giving a very high return of 91%. The questionnaire for clients was given to 10% of subsidy cases and 5% of regular supervision cases in the sample counties. Most counties were asked to distribute the questionnaires on a systematic random selection basis and this method was followed in many of the counties. Return of the client questionnaires created some procedural problems; however, of the 3,632 distributed, 2,103, or 58%, were completed and returned. Because of the proportionally small sample of clients, no effort is made to derive definitive conclusions from their responses. However, the responses are viewed as general indicators of the attitudes of probationers in the sample counties.

Questionnaires were pre-tested in a non-sample county before being put into final form.

Computer printouts divided questionnaire results into several categories, including job function, adult probation and juvenile probation, and subsidy and non-subsidy units. Results were also divided by four sizes of counties with size A having populations below 100,000; size B between about 100,000 and 500,000; size C being 500,000 to 2,000,000 and size D being over 2,000,000.

Because the emphasis of the questionnaires was on describing probation as it exists today, interview schedules were designed to elicit primarily comments about what probation should be in the future. Interview questions were prepared for four groups: (1) chiefs and staff assigned to supervision, (2) probationers, (3) presiding superior court judges, county supervisors, and county administrative officers, and (4) judges, district attorneys, public defenders, law enforcement and juvenile justice commissions or probation committees. In order to conserve time and to stimulate discussions, it was decided to utilize group interviews. Eight was determined to be the optimum number of persons and most groups approximated this size. However, most of the interviews with chiefs were on an individual basis as were a number with judges and other key persons, including the presiding judges of superior courts, members of boards of supervisors and county administrative officers.

The number of interviews was scaled to the size of the probation supervision staff in each sample county. Staff interview panels varied between one and six per county in addition to an equal number of client panels Overall, there was a total of 70 staff panels and 70 client panels. In addition, there were panel and individual interviews with chiefs and other persons and groups mentioned above.

The names of staff chosen for interviews were selected through use of a random number process. Although client panel participants were chosen most frequently with the assistance of local probation staff members, the clients freely verbalized the whole range of attitudes toward supervision from very negative to very positive. Panels generally were either entirely juveniles or adults and usually were all subsidy or all regular supervision.

The bulk of the data were collected by consultants from the Division of Community Services of the Youth Authority assisted by some Youth Authority Parole Agents, a number of graduate students, and the Task Force staff. In addition, questionnaires were mailed to chiefs in non-sample counties and written responses were solicited.

Three "model-building" sessions were held; one with members of the Correctional System Study and two with experts outside the Task Force. These sessions provided information on changes that were imminently important plus ideas as to what the correctional system should be in the future. Additionally, two special and valuable meetings with chief probation officers were held to discuss the tentative findings and recommendations of the Task Force.

In short, the major sources of input into this Task Force Report were the probation literature, the probation staff and clientele in 15 selected California counties, and a number of additional experts familiar with the State's probation process.

FOOTNOTES

[1]Board of Corrections, Probation Study, State of California (Sacramento, 1965).

[2]Ibid.; Report of the Governor's Special Study Commission on Juvenile Justice, Part I, State of California (Sacramento, November 30, 1960); Report of the Governor's Special Study Commission on Juvenile Justice, Part II, State of California (Sacramento, November 30, 1960); The Special Study Commission on Correctional Facilities and Services, Probation in California, State of California (Sacramento, December 1957); The Special Crime Study Commissions on Adult Corrections and Release Procedures and Juvenile Justice, Probation Services in California, State of California (Sacramento, 1948-1949).

CHAPTER III

MODEL

The model presented in this chapter is an attempt to apply to probation supervision those goals and underlying principles which the Correctional System Study believes are vital to the entire correctional process. In brief, these are seen as the cornerstones upon which any progressive probation program must be erected and must rest.

I. GOALS

The primary goal or mission of probation supervision is the same as that of the entire correctional system, viz, the protection of society by minimizing the probability of recidivism on the part of probationers.

Secondary goals, and strategies for attaining goals, are basically the same as for the rest of corrections, but with particular emphasis on community-based, field supervision objectives and techniques. Secondary goals include rehabilitation and reintegration of offenders into the community and, at the same time, specific (i.e. directed at those on probation) deterrence. The Probation Task Force contends that all of these objectives are normally compatible, i.e. that society is best protected and offenders most effectively deterred from further illegal behavior by their successful rehabilitation and reintegration into the community.

The strategies of probation, for both youth and adults, should place heavy stress on effecting social change, maximum development and utilization of community resources, family involvement, group work, and individual casework.

II. PRINCIPLES

The statements below represent an effort to apply specifically to probation supervision those basic principles which the Correctional System Study contends are most fundamental to any progressive correctional system.

1. Responsibility

Local communities, normally individual counties, have primary responsibility for delivery of probation services. Accordingly, they have the responsibility to develop the range of strategies, techniques, and resources to effectively protect the community and successfully rehabilitate/reintegrate probationers placed in their charge.

The State, which has the overall enabling responsibility for the entire correctional system, should assist the counties to develop and implement the types of programs necessary for an effective field services opera-

tion. This assistance should include subsidization and a wide range of "supportive" services such as training, planning, research, standard setting and enforcement, and general consultation. (Additional discussion of the State's role as an "enabler" will be found in the System Task Force Report.)

2. Diversion

Probation departments should make every effort to divert or remove from the system all persons who are not appropriate subjects for correctional supervision. As a general rule, probation should receive or retain under supervision only those offenders who pose a threat to the community's protection.

3. Coordination

Since it handles the great bulk of the correctional population and is the normal first step in the correctional labyrinth, probation must be closely coordinated with other components of the correctional system, both to avoid duplication of efforts and to provide a continuum of treatment. It should also work hand-in-hand with the rest of criminal justice, and with other public and private agencies who are involved with its clientele.

4. Community-Based Programs

Probation should keep its programs as close and as relevant to the communities of its clients as possible.

Offenders should be retained in the community (i.e. not institutionalized) whenever possible.

5. Visibility

Probation operations, including departmental policies and procedures, should be "open" or visible to the community, not only to permit scrutiny and review, but also to engender public understanding and support.

6. Accountability

Each probation department should spell out, for itself as a whole and for each of its major programs: (1) goals, (2) how to measure whether or not those goals (results) are attained, and (3) the tools necessary to assure the measurement of results and actions based on those results. Research and evaluation should thus be an integral part of every program.

Provided they are given the necessary resources, probation programs should then "live or die" by their results. This is the "contract" of accountability.

Probation should be accountable not only to itself, but also to the public, to other segments of the criminal justice system, to other branches of government, and to probationers.

7. Objectivity

Probation departments and individual officers must maintain professional integrity by submitting reports and recommendations on their clients which are as objective and straight-forward as possible. This means that individual workers must not only refrain from any attempts to manipulate other decision-makers, but they must also be free from intra- or extra-departmental pressures which might cause them to submit reports or recommendations which are not objective, do not reflect their honest views, or do not reflect their best professional judgment.

8. Burden of Responsibility

All probation decision-making relevant to handling of clients should place the burden of responsibility on the system, not the probationers, to justify any further degree of restriction or extention of restriction on his freedom. Put another way, the system should also select the least restrictive course consistent with protection of the public.

9. Public Involvement

Probation should take greater recognition both of general public apathy about corrections and of the growing interest and concern among at least some elements of the community; in response, it should develop strong programs aimed at eliciting greater public involvement. Such programs should focus on at least three levels:

a. Establishing credibility with the public, i.e. obtaining the community's trust through ongoing public education and public relations.

b. Enlisting direct support, e.g. financial assistance, volunteers, and other direct aid.

c. Involving the community in an advisory capacity, i.e. providing for public input by at least an indirect share in policy and decision-making.

10. Change-Orientation

In recognition of the fact that governmental agencies tend to preserve their traditional modi operandi, probation departments must incorporate flexibility, creativity, and innovation into their very bloodstream. Based on a commitment to continual feedback and evaluation, they must be

prepared not only to change but, if necessary, to "self-destruct" any part of their program that fails to produce expected results or that is no longer relevant to current problems and responsibilities.

11. Differentiation

Meaningful handling, let alone treatment, of offenders demands differential approaches based on individual needs. Hence, differential classification/treatment systems must be employed.

12. Range of Services

Probation must have available specialized programs and resources to meet the needs of its clients to the fullest possible degree. Such programs/resources may be provided by the probation department itself, contracted for with another agency or individual, or obtained in some other manner (e.g. volunteers). At the bare minimum such services must include a study or diagnostic capability, casework services, a wide variety of alternatives to institutionalization, and access to available community resources such as employment and schools.

13. Client-Centeredness

All probation programs should be "client-centered", i.e. involve the client himself in the planning and carrying out of a specific program of rehabilitation/reintegration.

14. Financial Support

To carry out their primary responsibility for the delivery of services, county probation departments must have the financial resources to carry out effective programs, contract for necessary services, and experiment with promising innovations.

The State and Federal Governments should provide subsidization for such services as necessary.

CHAPTER IV

THE CURRENT PROBATION SYSTEM: SURVEY FINDINGS

This discussion of the current probation system will focus on six major areas: (1) goals and philosophies of probation departments, (2) their primary functions or tasks, (3) their organizational structure, (4) the resources they have or need to carry out their functions, (5) evaluation and research, and (6) some important issues facing probation in the immediate or near future.

I. GOALS AND PHILOSOPHIES

The primary goal of probation, as well as all of corrections, is the protection of society by reducing recidivism. As indicated in other Task Force Reports, society is normally best protected by the development and implementation of effective programs of rehabilitation and reintegration. For probation this means that recidivism is most likely to be reduced if the offender is provided with a variety of effective services while under supervision in the free community. These services include working with the offender's family, providing vocational counseling and training, finding appropriate employment, helping to overcome stereotyped public attitudes toward offenders, overcoming restrictive employment policies and procedures, and providing casework services to the individual offender.

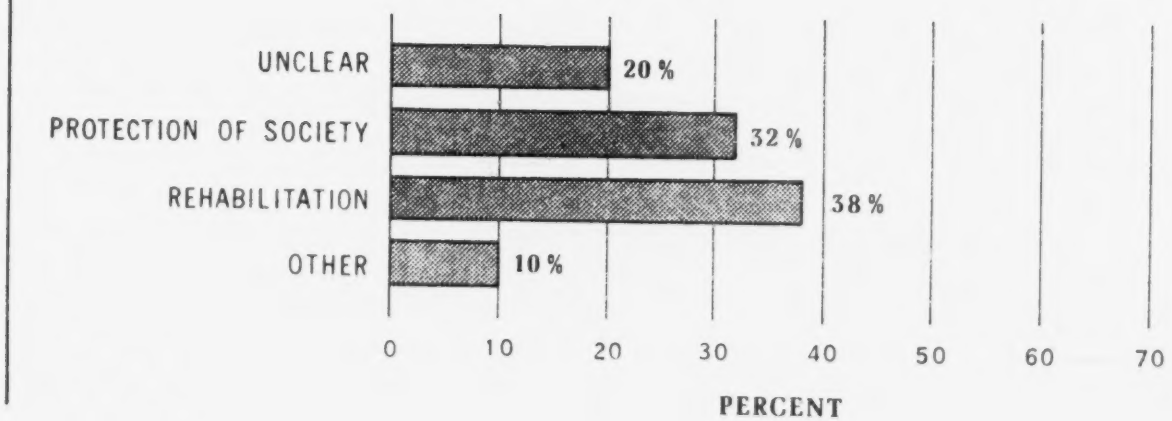
The Probation Task Force included two items in its survey questionnaire to determine how the major objectives of probation were perceived by the staff. The first question was, "What actually is the primary goal of your agency?", and the second question was, "What should be the primary goal of corrections?" The response categories included, "punishment"; "keeping offenders off the streets"; "protection of society"; "rehabilitation of offenders"; "other"; and "unclear or no opinion". Staff responses to the two questions were tabulated and are presented in Chart I. Thirty-two percent of the staff thought that the actual primary goal was the protection of society, while 38% asserted it was the rehabilitation of offenders. Significantly, 20% claimed that the primary goal of their respective agencies was either unclear or they had no opinion on the matter. The fact that a sizeable number of staff members did not know what is the actual goal, suggests that there is little in the way of attempting to clarify major agency goals on the part of administrators and agency heads. Almost all of those having no idea of their agency's goals were line workers and supervisors; administrators and agency heads almost without exception expressed a definite opinion on the question of agency goals. However, the data in Chart I clearly show that even when the staff expressed an opinion--no matter what their rank in the agency--there was no agreement on the primary goal.

Lack of agreement is also evident with respect to the ideal goal of corrections. Thirty-nine percent asserted that the goal should be the protection of society and 58% said that it should be rehabilitation. Juvenile probation officers were more likely than adult probation officers to assert that rehabilitation should be the major goal. Almost everyone expressed an

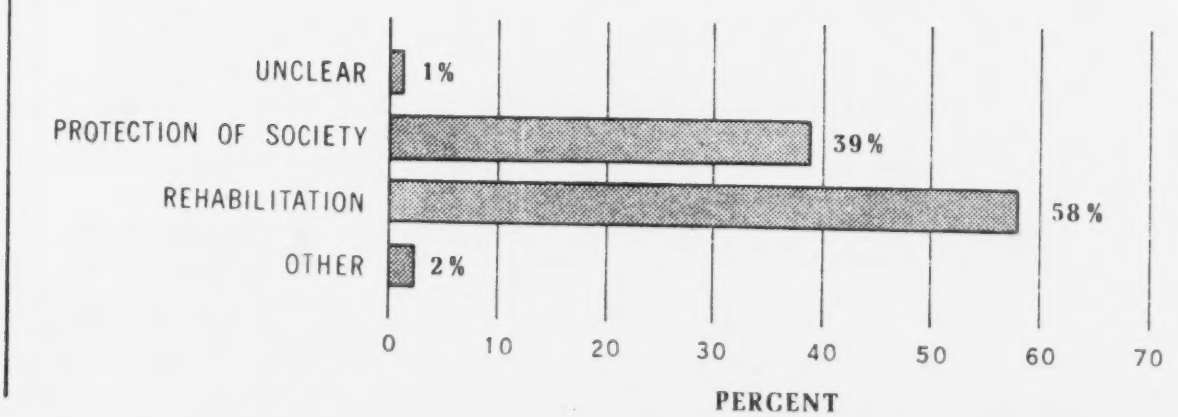
CHART I

ACTUAL AND IDEAL CORRECTIONAL GOALS AS VIEWED BY PROBATION STAFF

"What actually is the primary goal of YOUR AGENCY?"



"What SHOULD be the primary goal of Corrections?"



opinion in defining the ideal goal, but again, the preferences were distributed between protection of society and rehabilitation. Apparently there is a good deal of confusion over the meaning of these two objectives; the latter is construed to be generally a more permissive approach, while the former is seen as being more punitive. There is little doubt that probation officers did not agree on the meaning of these concepts and perceived them to be somewhat incompatible with each other. Rehabilitation is thought of more as an end product, rather than as a means by which society can be protected.

Similar disagreements have also been noted over the question of the most effective methods of supervising juvenile probationers. In one study, the probation officers were completely divided on whetner unexpected home visits were more effective than predetermined appointments, and whether making probationers "toe the line" was more effective than being lenient.[1]

In short, the data suggest that in the probation agencies surveyed by the Task Force there have not been very extensive attempts to discuss goals and objectives. Even in those instances where goals have been formalized in writing, they have not always been disseminated to staff members or, if disseminated, they have not always been read, accepted or followed by staff members. Encouragingly, it was observed that efforts are under way in some of the larger probation departments to develop and define formal statements of goals and objectives.

An additional problem, however, is that goals are rarely operationalized, i.e. defined in clear, concrete terms, so that their attainment or lack of it can be measured. Unless this, too, is done, a mere theoretical formulation of goals is of limited value.

II. FUNCTIONS

The Making of Probation Policy

Because of the large number of counties where the judge appoints the chief probation officer, one would expect to see many courts participating in the making of probation policy. Responses in the interviews indicated that the court is involved in such activity in many areas, although it was reported that the practice no longer exists in some communities. What subtle influences, if any, the courts have on recommendations made on supervision cases is not clear. However, it does seem clear that the power of judges to appoint and remove chief probation officers, under Section 575 Welfare and Institutions Code and Section 1203.6 Penal Code, carries with it the danger that judges may become *de facto* administrators of the probation departments. In at least two of the sample counties, there was evidence that the court was determining departmental policy to a large extent.

Diversion

While intake laws and procedures were not formally within the scope of the present study, an effort was made to ascertain retrospectively what types of clients now placed in probation supervision are inappropriate subjects for the probation process. In fact, the exclusion of intake issues from the study was a point of serious concern among probation administrators and personnel. Study staff shared in this concern and attempted to look at critical issues from a retrospective point of view whenever possible.

It became readily apparent to Task Force staff that not only prevention of initial law violations, but also diversion of many persons who commit acts which make them legal subjects for the criminal justice and probation systems are of growing import to both correctional workers and the general public. Persons interviewed throughout the course of the study had many opinions as to types of clients who are not appropriate for probation supervision. The chief categories of persons suggested for diversion from this process were: dependent and pre-delinquent children, alcohol and drug abusers, those placed under supervision simply as a means of getting them to pay money under court order, victimless offenders in general, and those in need of psychiatric aid.

The topic provoking the most discussion was possible removal of the pre-delinquents (Section 601 Welfare and Institutions Code) from probation supervision. Chief probation officers, in particular, urged that this section of the law not be repealed until viable alternatives were present in the community which would provide services as good or better than those now offered by probation. Actually, a large proportion of such cases are presently diverted from the justice system by various agencies, but it is those delinquent-prone youth who find their way to court that cause the concern. While many anticipated such a change in the law, most hoped for additional time for communities to prepare alternative programs.

The case for removal of Section 601 from the Welfare and Institutions Code was made by Thomas L. Carroll in a report prepared for the California Assembly.[2] That report urged that Section 600 be used for those pre-delinquent youth in need of the protection of the court. Probation chiefs and staff saw such resources as youth service bureaus, crisis intervention centers, welfare departments, and various family service and mental health agencies as being the alternatives to handle the pre-delinquent, but did not feel that such services were adequately developed as yet. As an example, Duxbury cited evidence that some youth service bureaus in the State have had an impact on diverting young persons from the justice system. However, she indicated the bureaus have been in operation too short a time to determine whether they are a satisfactory alternative.[3]

The greatest consensus was found in support for removal of common drunks from the criminal justice system. Most respondents felt that processing drunks to jail or probation is inappropriate because their problem is not one of harming society but rather of harming themselves. It was suggested that the problem could best be met by detoxification centers or some other programs operated by a public health or mental health agency.

Additional discussion on diverting the alcoholic from the criminal justice system may be found in the Jail Task Force Report.

Formulating Conditions of Probation

While it occurs during the investigative process, and therefore does not technically fall within the scope of this Study, adult probation officers are required by law to make recommendations either for or against placement on probation.[4] In the superior courts in 1969, there were 37,832 recommendations made by probation officers.[5] Of this number, 23,794 (63%) were recommendations for probation, and in 96% of these cases the court granted probation. Of the 14,038 cases where probation officers recommended against probation, the court denied probation 66% of the time. Thus, when probation officers recommended probation, the courts almost always granted it, but when probation was not recommended, the courts nevertheless granted it a third of the time. The effects of this disparity are not known and should be a matter for systematic investigation.

In addition to making recommendations either for or against probation, probation officers also specify the appropriate conditions of probation if it is to be granted by the court. One of the most common conditions of probation is that the offender serve a jail term prior to his placement under supervision in the community. In 1969, there were 27,458 adult defendants granted probation by superior courts. In 11,470 (42%) of these, a jail sentence was a condition of probation.[6] It is not known how long each of these sentences were, but it is unlikely that they were a year, or longer.

At the present time, it is not known whether jail as a condition of probation is more or less effective in reducing recidivism than straight probation. Research is urgently needed on this question, since, as noted in the Jail Task Force Report, approximately 40% of the sentenced jail population presently are serving terms as a condition of probation. It is the belief of the Probation Task Force that many of the above offenders could be placed on straight probation without seriously jeopardizing the safety of the community. This action also would be consistent with the principle of retaining offenders in the community whenever possible, rather than isolating them from it. Furthermore, minimizing the use of jail as a condition of probation would result in substantial savings. It has been estimated that the average per capita annual cost for successful cases on straight probation is $247, while the costs range between $1,000 and $3,000 if jail is a condition of probation.[7]

Fines and restitution also are stipulated conditions of probation, and tend to be imposed more frequently in the municipal courts than in the superior courts of the State. (On the other hand, the condition of jail is specified more frequently in the superior courts.) According to the statistical report of a large adult probation department in the Bay Area, there were 2,681 persons admitted to probation in 1970. Of these, 812 had to pay a fine as a condition of probation, 100 were required to make restitution, and 193 had to pay a fine in addition to making restitution. Thus, of the 2,681 probationers, 1,105 persons (41%) had fines, restitution, or both

imposed as conditions of their probation. Of this number, 823 were municipal court cases and only 282 were from the superior courts. It is significant to note that while fines could very likely be an effective device in reducing recidivism, especially for property offenders, it is not commonly a condition of probation in the superior courts of the State. Further corroboration of this fact was reported in a recent study which found that of 17,000 property offenders sentenced by the State's superior courts, only 750 received fines.[8]

There also are a number of specialized conditions that can be imposed if the probation officer or court deems them to be necessary. Some of these stipulate that the probationer receive psychiatric treatment, that he pay child support, or that he pay court costs. There almost always are standard or routine conditions specified, such as not violating any laws, not leaving the county without permission, not associating with persons who have been in difficulty with the law, actively seeking or maintaining employment, refraining from the use of alcoholic beverages, and so forth.

Judges, juvenile justice commissions and a probation committee, district attorneys and public defenders were asked to describe what kind of conditions are regularly imposed on persons granted probation in their county, why, and how strictly the conditions should be enforced. It was accepted generally that conditions such as those mentioned above were imposed in order to help clients stay out of trouble.

However, the evidence shows that the appropriateness and relevance of the conditions for the client often was overlooked and that a need exists for a review of the whole matter. One indication of this need came from a member of the judiciary who responded frankly to the question of why certain conditions were given without reference to their appropriateness by saying, "Because they always have been imposed." Other proof of the need for change came from the frequent observations of probationers that conditions often were meaningless, irrelevant, non-individualized and overly restrictive. As examples, some reported being told not to associate with other persons on probation, even though members of their own household were under supervision. In one community, a seven o'clock curfew was imposed on a mature teenager even though his offense was related to traffic. In another county, some married women probationers complained that they were threatened with revocation if they became pregnant.

That there is value in having probation conditions is evident in the fact that 75% of 2,039 clients responding to this part of the questionnaire said conditions usually or sometimes helped them obey the law. The need is to move now toward more relevant conditions. Further support for this stance is found in the observation of the President's Commission on Law Enforcement and Administration of Justice that conditions of probation must be appropriate to the needs of the individual case in order to have differential treatment.[9]

The Probation Task Force strongly suggests that the impact of the various conditions of probation on the recidivism rate be systematically investigated. It is likely that a jail sentence preceding probation will be more effective for certain types of offenders, but not for others. The

same is likely to be true for other conditions that are commonly imposed. Only after a period of systematic evaluation will there be information on the relative effectiveness of the various conditions. If some turn out to be effective in reducing recidivism, then they should be specified as conditions of probation; if others are found not to be effective, then they should be abandoned.

Classification and Treatment Systems

In 1964, the Board of Corrections conducted a study of probation services in California. One of the major recommendations of that study was to reduce the size of the burgeoning caseloads throughout the State. The report was quick to point out, however, that reduced caseloads *per se* were not sufficient to bring about more effective probation supervision, and that an efficient classification system must be adopted to provide meaningful and individualized services to probationers. "Without commitment to classification, probationers receive a generalized, often meaningless, service that is best characterized by the current goal of probation: one probationer--one contact a month."[10] The 1964 *Probation Study* found that classification was not a regular part of the operational activities of any of the 17 probation departments selected for the study.[11]

Since classification was recommended by the 1964 study, the Probation Task Force, using the same 15 counties as the 1964 study, attempted to determine the extent to which classification systems are now being used by the various probation departments. Interviews with probation staff and administrators revealed that most classification and treatment systems currently were operating only in probation subsidy units, although there were some exceptions to this. Classification systems solely for case management purposes existed in many regular probation units.

One of the items in the Task Force questionnaire asked probation officers whether they were using a classification system with the probationers under their supervision. Fully 41% of the line workers said that they were not using any system; an additional 38% asserted that they were using a classification system, but it was of no help in the treatment process. While there were differences between subsidized and non-subsidized units (more probation officers from the former type of unit claimed to be using classification), the data clearly showed that in no instance did a majority of probation officers claim that they were using classification effectively.

It was also found that, while many staff would like to use a differential treatment classification system, they lacked an adequate level of understanding of the way such a system should be used. In addition, interviews revealed a lack of planning for case management. The questionnaire disclosed that fully one-quarter of probation staff members felt their agencies did not encourage them to develop individual treatment plans and to implement them. This is in direct contrast to the opinion expressed by the President's Crime Commission that one of the major requirements for using a differential treatment system is an adequate case analysis and planning procedure. However, it is consistent with the Commission's observation that careful planning by probation officers is almost non-existent.[12]

Support was expressed during interviews for the idea of matching officers with clients by personality types. In addition, questionnaire responses indicated that 75% of 875 staff at all levels supported the matching concept. Because of a failure to understand the way in which classification is used for treatment purposes, a number of negative views were expressed (such as classification is merely a "labeling process" and is "dehumanizing"). Other negative statements came from those who felt that the particular system being used was ineffective.

It is quite evident that the years separating the 1964 study and the present Probation Task Force Report have not witnessed the widespread use of classification--even with the existence of subsidized units with reduced caseloads--nor any great acclaim as to its effectiveness in the supervision of probationers. While an increasing range of approaches and techniques were noted (such as psychodrama, Gestalt and other forms of group therapy, conjoint family therapy, transactional analysis, reality therapy, audio-visual equipment for "instant playback", recreational and camping trips, drug schools, weekend work or other programs, remedial tutoring, vocational training and counseling by private agencies, etc.), the standard "treatment" practice for the great majority of probationers still consisted of 10 to 15 minute "across the desk" office type interviews on a once a month basis (less often for many adults) and frequently under rushed circumstances (e.g. with a line of other clients waiting). Even in some intensive supervision programs, the nature of supervision had changed little, i.e. the additional time provided by reduced caseloads was used mainly to offer more of the same type of service that had traditionally been offered. A related problem was that the great bulk of probation officers worked hours which were inconvenient for most clients and which inevitably led to long waiting lines and short interviews. On the other hand, a number of counties, particularly in their subsidy units, had implemented many of the treatment strategies mentioned above, in addition to others, and had begun to demonstrate more flexibility in their programs and the hours they were available.

There is great variation in the types and intensity of probation services which are offered to clients. These range from phone or mail supervision to daily contacts in which probation officers almost "lived" with some youngsters. Subsidy units, because of their smaller caseloads and richer resources, tended to have the most innovative and progressive types of programs. A number of the most promising treatment efforts will be discussed in more detail in a following section entitled "Program Highlights".

However, overall it was found that probation contacts tended to be similar, infrequent and fleeting. In fact, the probation officers themselves questioned the quality of their services. One of the items in the staff questionnaire asked them to estimate the quality of services provided by their agencies. Only 36% of all staff (33% of subsidy staff) rated the general quality of correctional services in their agencies as "high".

The general conclusion of Task Force staff is that most probation programs offer minimal treatment and the treatment they do offer tends to be the same, for the great majority of probationers, with the exception that some offenders receive more of it. The direction that probation is

only beginning to pursue incorporates sophisticated programs of differential treatment, i.e. developing and implementing separate correctional strategies for different types of offenders.

However, many of the staff and administrators were aware of the existence of at least one classification system. When they were queried by the Task Force as to what were the most promising classification systems, several were mentioned. The one most frequently cited was the "I-level" classification system in which offenders are classified according to a given level of interpersonal maturity. According to the theory of interpersonal maturity, individuals progress through several stages of socialization.[13] Each successive stage of development involves a greater degree of interpersonal competence and skill. The theory asserts that there are seven levels of interpersonal maturity and individuals who are fixated at the lower levels tend to be poor role-players and dependent personalities.

The theory of interpersonal maturity has clear implications for differential treatment. In California, both Youth Authority wards and some probationers have been classified into one of the levels of interpersonal maturity and then provided with treatment services that would logically appear to be related to deficiencies characterizing the particular type.[14] For example, a youth classified as being very immature would require some form of placement where his dependency needs could be met. This classification system has been used with some success in the Community Treatment Project, and is discussed in greater detail in the Juvenile Institution Task Force Report.

While the I-level classification system holds much promise, a number of cautionary remarks should be made to prevent its uncritical use. First, this system assumes that offenders are interpersonally immature as compared with non-offenders in the general population.[15] A substantial body of research has been conducted on this general matter, and as yet none of it has uncovered a trait or set of traits that clearly differentiate criminals and delinquents from non-criminals and non-delinquents.

A second point to keep in mind is that more than one classification system is likely to be needed by the correctional services. There are many offenders who do not exhibit any clear sign of emotional or mental disorders. Instead, their crimes may result from social forces beyond their control, such as a sagging economy; high unemployment rates; discriminatory policies in unions, business and industry; and other limited opportunities. Under such conditions, psychologically healthy individuals can succumb to these forces.

A final point to keep in mind is that classification systems are abstractions which might not accurately describe a group of individuals. Some individuals do not neatly "fit" into any given category; and even when they are classified, they are not clearly distinguishable from persons who have been classified into other categories.[16]

The above remarks are not intended to discourage the use of classification systems. Rather, they are made with the aim of encouraging the in-

telligent and effective use of such systems. There is little doubt regarding the validity of the idea of differential treatment. Different types of offenders have different needs, and one of probation's major tasks is to decide "who needs what type of service". Effective differential treatment assumes statutory flexibility, a minimum of restrictive probation conditions, greater and more varied use of community resources, including volunteers, para-professionals, and ex-offenders, and greater public understanding and support.

The Probation Officer as "Services Manager"

Effective "treatment" involves not only the rehabilitation of the offender, but also his successful reintegration into the community. Rehabilitation involves strategies of intervention that are aimed at changing the individual client. Some of these strategies are counseling, casework, and psychotherapy. All of these are attempts to help the individual gain more insight into his personal problems in order to bring about behavioral change. A long-standing tradition of probation has been to offer counseling and casework services to probationers, and the Task Force found that these continued to be assigned positions of high priority in the minds of most probation officers. When asked if they used any form of counseling, such as individual, family, or group counseling, almost all of the probation officers (95%) stated that they used at least one of these. It is quite clear that probation services are conceived largely in "casework" terms.

Another major goal, as indicated in all of the Task Force Reports, is the successful reintegration of the offender into the mainstream of the community's life. This means academic and vocational training, the creation of employment opportunities, health and welfare services, legal services, housing, and so forth. While the probation officer cannot be expected to be an "expert" in all of these areas, he can be expected to coordinate and manage the dispensing of the variety of community services that can be made available to the probationers. The probation officer's role is most aptly described as a "services manager". His task is to locate the range of individuals, agencies, and organizations that can be helpful in reintegrating the probationer back into the community. In this regard, the probation officer may have to spend more time with the agencies and organizations providing specialized services, than with his individual probationers. This is not to say that casework services will be less important than was previously the case; rather, it means that the probation officer will not be as directly involved in the dispensing of specialized services. His task will be to identify the needs of the offender, locate the appropriate services, and coordinate them to his client's best advantage. Seen from this perspective, the probation officer is the central figure in the network of community services.

There is an increasing amount of evidence to suggest that services provided by the probation officer as such are not as important as the services provided by other individuals and groups in the reintegration process. For example, one study investigated the reasons for the successful completion of supervision of 75 Bay Area Federal probationers and parolees.[17]

This group was asked, "How do you account for your success on supervision?" Similarly, the officers and a friend or relative of each offender were asked, "How do you account for the offender's success on supervision?" The responses to these questions are reproduced in Table V. In summarizing the results of this study, Sigurdson has noted that:

> "One is immediately struck with the high level of agreement in the response pattern of officers, offenders, and third parties interviewed. What is more significant is that only 20 percent of the officers themselves and even smaller percentages of offenders and third party respondents--12 percent and 15 percent, respectively--associated the efforts of the supervising officer with successful completion of supervision. ...It is apparent from these findings that the officer plays a rather insignificant role in the rehabilitation of most of his charges."[18]

This and other studies thus suggest that the probation officer may have a greater contribution to make on a broader community level in the role of arranging for and coordinating services to his probationers.

Summary. Almost without exception, correctional authorities have endorsed the idea of classification and differential treatment of offenders. But two problem areas remain. The first pertains to which system or systems to employ in the field of probation. While I-level offers a good deal of promise, there are other typological systems as well. For example, the President's Corrections Task Force outlined the characteristics of a general offender typology of: prosocial offenders; antisocial offenders; psuedo-social offenders; and asocial offenders.[19] This classification also holds some promise. But at the present time, any of these systems should be considered as tentative. It is clear that more research and experimentation are needed to determine the relative effectiveness of competing typological systems.

The second problem area has to do with the assimilation of research findings into routine programs and policies. To date, despite the vast amount of research that has been conducted in various facets of corrections, especially in typological systems, a notable gap continues to exist between research findings and correctional practice.[20] Perhaps the most important problem facing all of corrections is to determine how best to translate research findings into viable agency policies.

But despite the above concerns, the ideal of differential treatment should continue to be a major goal of probation, and indeed of all corrections. As the President's Commission on Law Enforcement and Administration of Justice has pointed out:

> "More individualized and systematically differentiated treatment and control of offenders is (a)...major requisite of more rational and effective corrections."[21]

TABLE V

FREQUENCY OF RESPONSE BY ORIGIN AND CATEGORY

Origin of Response	Category of Response								
	Non-criminal Orientation	Assistance from Family and Friends	Employment or Training	Personal Strengths or Emotional Growth	Probation Officer	Religious or Ethical Principles	Social Responsibility	Fear of Further Legal Action	Other
75 Officers	41	43	34	34	15	6	9	14	4
75 Offenders	43	40	40	39	9	13	11	21	8
Family or friends *	38	57	53	39	11	11	17	16	9

* For a variety of reasons it was possible to interview only 49 families or friends of the 75 offenders; for purposes of comparison, their responses were projected to a total of 75.

Source: San Francisco Project, A Study of Federal Probation and Parole, Research Report No. 13, National Institute of Mental Health, 1967, Tables 13, 14, 15.

Similarly, the Youth Authority's Community Treatment Project has demonstrated that:

> "...it is the differential or intensive/extensive treatment aspects...which appear to be of fundamental importance."[22]

However, consistent with its tortoise-like tradition, probation has been slow to peer out from under its shell and move forward. The fact is that probation's main incentive has come from State subsidization and that, without increased subsidization and encouragement by the State, little additional progress is anticipated in the near future.

Client Views of Treatment

A variety of responses were received when probationers were asked what it was like being on probation. Many of the answers were in a negative vein. Clients told of their resentment to overt displays of authority on the part of the officers, of probation terms which were too long, and of regulations which seemed childish. Illustrative of the last point was a report from probationers recently released from jail that they were prohibited from visiting inmates, even family members, still in jail until a certain time had elapsed after their own release.

Frequency of contact with probation officers. A major concern of the Task Force was to determine from the clients' perspective how frequently they had contacts with their probation officer. Table VI presents information on frequency of contacts, average length of each contact, and whether the probation officer had ever visited the probationer's home. The data show quite clearly that clients in subsidized units claimed having considerably more contact with their probation officer than those who were being supervised in non-subsidized units. In fact, throughout the study, most of the positive comments were made by probationers in the subsidy units.

At the same time, however, it should be noted that of the clients under subsidy supervision, fully 25% of the juveniles and 42% of the adults claimed seeing their probation officers only once a month or less. In addition, only 28% and 34% of the juvenile and adult probationers, respectively, in subsidy programs estimated that their probation officer usually spent an hour or more with them. Thus, in terms of contacts, while there were definite differences between subsidized and non-subsidized units, neither group estimated having a great deal of contact with their probation officer.

It would appear, therefore, that the subsidy program has succeeded in increasing contact between the probation officer and his charges. In 1964, the Probation Study found that the average caseload for adult probation officers was 209 cases, which was four times the recommended national standard and three and one-half times the recommended State standard.[23] For juvenile probation officers the median caseload size was 78.9 cases, substantially in excess of any State or national standard.[24] While the 1964 study did not estimate the number of contacts probation officers had with

TABLE VI

CLIENT CONTACTS WITH PROBATION OFFICERS

(Percentage Distribution *)

QUESTION	Juvenile		Adult	
	Subsidy (N=280)	Non-Subsidy (N-440)	Subsidy (N=250)	Non-Subsidy (N=1,077)
How often do you usually see your probation officer?				
Never seen	1	3	--	4
Once a week	42	17	24	3
Semi-monthly	34	21	35	6
Once a month	17	42	34	66
Every 2 or 3 months	6	12	5	14
Less often	1	5	3	7
How much time do you usually spend together?				
Few minutes	22	31	15	37
Half hour	50	49	50	51
An hour	23	17	23	10
Over an hour	5	3	12	2
Has probation officer ever come to where you live?				
Yes	85	74	73	32
No	14	25	25	62
Don't know	1	2	2	6

* Percentages may not add to 100% because of rounding.

caseloads of 209, judging from the comments made by judges, probation officers, and others during panel interviews, it is clear that they were minimal. Since 1966, it has been possible to reduce some caseloads below 50 through the State subsidy program, and as Table VI shows, this has had the effect of increasing the amount of contact probation officers have had with their charges.

Perceived helpfulness of probation officers. Both juvenile and adult probationers were asked to evaluate how helpful their probation officer was in a variety of areas. The results of these queries are presented in Table VII. There are several points worth noting about the data. First clients under subsidy supervision did not uniformly evaluate their probation officer as being more helpful than the clients under non-subsidy supervision. In general, there are fairly consistent differences between the subsidized and non-subsidized units among juvenile probationers. Those under subsidy supervision claimed, more frequently than juveniles under non-subsidy supervision, that their probation officer always helped them with any kind of trouble (42% vs. 27%), always helped with problems at school (32% vs. 21%), always helped when looking for a job (24% vs. 9%), and had a lot of personal concern (50% vs. 39%).

However, the differences between adult probationers under subsidy and non-subsidy supervision were not nearly as great, nor as consistent. The only clear difference between these two groups was found to be in the area of employment. Thirty-one percent of the clients in subsidy units claimed that their probation officer was always helpful when looking for work or with problems on the job, while only 18% of the non-subsidy unit clients claimed this to be the case. Beyond this one area, however, the differences between the two groups are not significant.

In short, the data suggest that the State subsidy program has had a more positive impact on the supervision of juvenile than adult probationers.

A second point worth noting in Table VII is that in no instance did the clients enthusiastically endorse their probation officer. There is not one instance where at least a two-thirds majority checked the "most favorable response category". Instead, the evaluations were less than enthusiastic, or flatly negative. For example, when asked, "How can your probation officer help you most?", fully 38% of all the clients answered, "leave me alone", or something "other" than the response categories listed. In addition, responses to this item did not differ between probationers who were and were not under subsidy supervision.

Thus, in conclusion it appears that subsidy programs have not had an overwhelming impact on probationers' evaluations of the helpfulness of their probation officer. Whenever they do make a difference, it is likely to show up among juvenile, rather than adult probationers. Adult probationers under subsidy supervision are, however, quite likely to be helped in the field of employment.

TABLE VII
CLIENT EVALUATION OF HELPFULNESS OF PROBATION OFFICERS
(Percentage Distribution *)

QUESTION	JUVENILE		ADULT	
	Subsidy	Non-Subsidy	Subsidy	Non-S
When you have troubles of any kind, does your P.O. help you solve them?	(N=280)	(N=440)	(N=250)	(N=1,C
Always helps	42	27	38	32
Sometimes helps	34	33	29	23
Never helps	2	4	2	3
I have not needed help	23	36	31	42
Is your P.O. helpful to you when you have problems at school?				
Always helpful	32	21	11	5
Sometimes helpful	29	26	6	4
Never helpful	2	7	3	1
I have no problems at school	27	35	15	13
I am not in school	10	11	65	76
Is your P.O. helpful when you are looking for work or have problems on the job?				
Always helpful	24	9	31	18
Sometimes helpful	20	12	16	13
Never helpful	8	16	9	9
I have no problems at work	22	27	36	54
I am not of working age	26	37	7	7
Does talking with your P.O. help you stay out of trouble?				
Helps very much	33	32	42	40
Helps some	55	51	44	38
No help at all	12	14	14	16
P.O. does not talk with me	--	3	--	6
If you wanted help from your P.O., do you think you could get the help you want right away?				
Yes	56	51	65	62
No	12	11	9	8
Don't know	32	37	26	30
How much concern does your P.O. have for you?				
A lot	50	39	51	44
Some	23	28	30	29
None	3	6	4	5
Don't know	24	27	16	22
How can your P.O. help you most				
Be available when I want him	21	19	11	18
Listen more to what I say	12	11	10	11
Both of the above	33	35	34	32
Leave me alone	14	14	12	13
Other	21	21	34	26

*Percentages may not add to 100% because of rounding.

Perceived helpfulness of other persons. The clients were also asked to assess the helpfulness of persons other than their probation officer, as well as the helpfulness of their home, job, and probation rules, in keeping them out of trouble. Table VIII presents the appropriate data. The first thing to note is that no one person was singled out and identified as clearly being the most helpful in keeping the probationers out of trouble. For the juvenile probationers, parents were identified as being most helpful (37% of the subsidy probationers and 40% of the non-subsidy clients), while for the adult probationers, the spouse was singled out as being the most helpful (21% for the subsidized units and 25% for the non-subsidized units). Overall, parents, spouses, and relatives were evaluated as being the most helpful group of individuals.

The juvenile probationers under subsidy supervision evaluated the probation officer as being more helpful than did non-subsidy juvenile probationers (19% vs. 10%), again suggesting the program's greater impact among juvenile clients in reduced caseloads. Adult clients, however, did not rank the probation officer as high.

When the clients were asked to evaluate the helpfulness of their home and job, the picture changed. Both juvenile and adult offenders in subsidy and non-subsidy units asserted that a job helped them keep out of trouble. While the percentages are somewhat lower for juveniles than adults, the positive evaluation of employment is nevertheless clear. While a job was perceived to be an important deterrent to crime and delinquency, it will be recalled that at the same time fewer than one-third of all the clients said that their probation officer had always been helpful when looking for work or with problems on the job (Table VII).

Both groups evaluated the home as being almost as important as the job in keeping them out of trouble.

Juvenile probationers assigned less importance to the helpfulness of probation rules than did the adult probationers. Of the former group, 45% under subsidy supervision and 41% under non-subsidy supervision asserted that probation rules usually helped them to obey the law. The percentage rose among adult probationers to 53% for the subsidy units and 60% for the non-subsidy units. These data suggest that various conditions imposed on offenders when they are placed on probation will be more effective for adults than for juveniles. Apparently the greater experience and maturity of the adults plays a role in the relatively positive assessment of the helpfulness of probation rules.

In short, the only factors that were clearly defined by probationers as being helpful were the job and the home. However, no specific individual was singled out as being definitely helpful. Of those evaluated, parents and spouses were mentioned as being moderately helpful. Probation rules were evaluated as being more helpful in obeying the law than were the probation officers themselves. This was especially true of the adult clients under supervision. Finally, with only one exception, there were no significant differences between probationers under subsidy and non-subsidy supervision; that exception was in the assessment of the probation officer among

TABLE VIII

CLIENT EVALUATION OF HELPFULNESS OF OTHER INFLUENCES
(Percentage Distribution *)

QUESTION	Juvenile		Adult	
	Subsidy (N=280)	Non-Subsidy (N=440)	Subsidy (N=250)	Non-Subsidy (N=1,077)
Who helps you most to stay out of trouble?				
Parent	37	40	17	15
Spouse	3	2	21	25
Relative	3	4	2	4
Friend who has been in trouble	8	16	8	7
Friend who has not been in trouble	11	11	14	10
Employer	--	--	3	2
Teacher	1	--	1	--
Probation Officer	19	10	12	12
Police	1	1	2	2
No one helps	16	15	20	22
How much does a job help in keeping you out of trouble?				
A lot	55	47	64	70
Some	14	14	15	14
None	6	6	14	9
Not of age	25	33	8	6
What effect does your home have on keeping you out of trouble?				
A lot	47	50	63	62
Some	35	33	22	19
None	18	16	15	19
Do probation rules help you obey the law?				
Usually	45	41	53	60
Sometimes	36	32	24	21
Never help	11	14	18	12
Don't know	8	12	5	8

* Percentages may not add to 100% because of rounding.

juvenile clients. Those on reduced caseloads gave a more positive assessment of the probation officer than did those in large caseloads.

Summary. The 1964 Probation Study found that caseloads in California were excessively large when compared to national and State standards. The study called for a State subsidy program aimed at reducing caseloads; and since 1966 the State has been subsidizing counties to allow at least some of the probation officers to work with caseloads of substantially less than 50 clients. The data presented in this section clearly indicate that the reduced size has resulted in increased contact between the officer and his client. There were great and consistent differences between clients under subsidy and non-subsidy supervision.

However, the increased contact has not always resulted in providing clients with better service. The data suggest that the subsidy program has resulted in improving services for juvenile clients, but not necessarily for adult clients. For the latter group, the one major area where increased contact through reduced caseload size apparently has made a difference is in the area of employment. But in other areas the quality of service for adult probationers on reduced caseloads has not necessarily improved. Perhaps it is not surprising to see reduced caseloads making a greater difference among juvenile than adult probationers. Being younger, the former group can more readily profit from the more intensive supervision made possible by reduced caseloads.

Finally, it should be noted that overall client evaluation of the quality of services provided by the probation officer was only moderately favorable. In no area did clients as a group enthusiastically evaluate his helpfulness. In fact, other persons were seen as playing an equal or more important role in the rehabilitation and reintegration process. This fact, however, should not be taken as evidence of the failure of probation, the subsidy program, or the individual probation officer. The probation officer cannot be all things to all persons; no one person can be. Rather, it should be taken as possible evidence of misplaced emphasis regarding the probation officer's role. As indicated in the previous section on Classification and Treatment, perhaps the focus needs to be shifted somewhat away from directly providing all services to the client and more towards enlisting the aid of various persons and groups in the community. Perhaps the probation officer should be viewed more as a "broker" or "manager of services in the community" than solely as a "caseworker". Within this framework, the probation officer would not be the person to provide, for example, all casework services to his client. Instead, he would often attempt to locate appropriate casework services in the community and make them available to the client. In short, the thrust of the probation officer's efforts needs to be directed more toward the community as well as the individual probationer--with the goal of involving the community in the reintegration process. Much of his job then would center around locating services, coordinating them, identifying areas where services do not exist, playing a role in creating them, and assessing their relative effectiveness in reintegrating the offender back into the community.

III. STRUCTURE

The most typical organizational structure for probation departments involves the juvenile court judge as the appointing power for the chief probation officer. Most chiefs have an assistant chief, directors or chiefs of divisions or sections, staff supervisors and line workers to supervise the clients. Divisions typically are established for adult work, juvenile work, and institutions. Depending on internal factors, mostly relating to the size of the department, the assistant chief may be used in a direct line of administrative control, or may be used as a partial supervisor, or may be completely bypassed by the chief in the chain of command. Several departments in the study were found to have no assistant or division chiefs. The span of control of staff appeared to be adequate in most instances, although there were some instances where supervisory staff or the department head appeared to have far too many persons under their immediate supervision. In one of the sample counties, a chief probation officer was supervising nine officers, in addition to the juvenile hall staff, with help from an assistant who was carrying a half caseload. Another county had supervisors with as many as 19 workers in their units.

Communication

The problem of faulty communication was demonstrated by a failure on the part of some staff to comprehend departmental policies. Line workers in several departments felt communication was not coming clearly from the top and, in return, they were unable to communicate to administrators their lack of comprehension of departmental policies. When asked in the questionnaire to estimate the clarity of agency philosophy and policy, most officers gave either a "middle of the road" answer, or asserted that philosophy and agency policy were unclear. A similar response came from both adult and juvenile workers in subsidy and non-subsidy units to the questions requesting evaluation of communication within departments. However, line workers and supervisors rated the quality of downward and upward communication lower than did administrators and department heads. Details of these responses are reported in Table IX. In some instances, evidence of bypassing the chain of command was reported, resulting in some confusion on the part of those bypassed. This occurred both within departmental administrative structure and, more frequently, when there was a line of authority running to and from a judge (in which case the judge sometimes became the de facto administrator of the probation department).

Several examples of good communication were noted in the counties studied. For example, in one of the small counties, both the chief and his assistant were readily available to staff; similarly, in one of the large counties, the formal structure was able to facilitate rather than inhibit communication. In both instances, the facilitation occurred because those in the lines of communication were able to talk and to listen. The opportunity given some staff to share in decision-making also assisted the communication process. However, it is not a widely practiced procedure as the questionnaire results make clear. Staff were also asked to estimate the

TABLE IX

EVALUATION OF COMMUNICATION BY PROBATION STAFF

(Percentage Distribution *)

QUESTION	Total Staff (N=881)	Line Workers (N-727)	Supervisors (N=115)	Administrators (N=28)	Department Heads (N=11)
Estimate how clear the philosophy and policies of your agency are:					
Clear	28	29	22	39	55
In between	37	35	41	50	36
Unclear	35	36	37	11	9
Estimate how good the downward communication in your agency is:					
Good	30	31	25	37	64
In between	33	32	36	44	36
Bad	36	37	39	19	--
Estimate how good the upward communication in your agency is:					
Good	27	25	29	28	64
In between	36	34	44	54	27
Bad	38	40	27	18	9
Estimate how good the lateral communication in your agency is:					
Good	61	62	58	43	100
In between	30	29	35	50	--
Bad	9	9	8	8	--

* Percentages may not add to 100% because of rounding.

extent to which they had a voice in administrative decision-making. Their responses tended heavily toward the "no voice" end of the scale--two-thirds of the line workers and 45% of the supervisors said they had little or no voice in this area.

In summary, it is evident that the quality of communication has not improved since the 1964 Probation Study. That study strongly suggested internal changes within departments that would result in improved communication, and an improved understanding of the philosophy and policies of probation.[25] However, the Probation Task Force found that the situation in the area of communication was substantially the same as it was in 1964. Accordingly, the Task Force suggests that the whole area of communication needs immediate attention and that efforts should be made to clarify and communicate philosophies and policies to all staff in a more straightforward fashion, particularly in smaller sized departments. Upward and downward channels of communication are always in need of reinforcement and data clearly indicate that such reinforcement is needed at this time in many counties.

Job Satisfaction

A number of items in the questionnaire explored job satisfaction of the staff. As seen in Table X, the adult probation officers expressed somewhat more dissatisfaction with their job than did the juvenile probation officers. The former group was somewhat less satisfied with promotional opportunities, workloads, and general working conditions. They were definitely not satisfied with the adequacy of clerical and stenographic help (also a problem in 1964), and estimated the morale of their agencies to be somewhat lower than did the juvenile probation officers. It was generally agreed among staff members that adult supervision appears to have the least priority of any part of probation.

Some probation officers expressed the feeling that their supervisors and chief probation officers were non-supportive, inadequate, and suppressive of new ideas. Staff was asked by questionnaire if their agency encouraged flexibility and creativity; 42% replied that they felt their agency discouraged creativity. Probation officers also voiced serious concern over the lack of risk-taking and progressiveness within their agencies, feeling this to be inhibiting the application of new treatment methods. Over half (53%) responded on the questionnaire that their departments were conservative; only 20% saw their departments as progressive.

Table X also shows that a number of substantial differences in job satisfaction existed between subsidy and non-subsidy probation officers. The former group clearly expressed more satisfaction with workloads, and with adequacy of clerical and stenographic help. In 1964, the Probation Study found the workloads to be excessive, and many line workers, supervisors, and administrators expressed concern over unmanageable loads.[26] It appears that the State subsidy program has had a favorable impact in this regard, and this is reflected by the more favorable attitudes expressed by probation officers supervising reduced caseloads. However, they were less satisfied with the promotional opportunities, and with their salary. They

TABLE X

JOB SATISFACTION AND WORKING CONDITIONS AS PERCEIVED BY PROBATION STAFF

(Percentage Distribution *)

QUESTION	Total Staff (N=880)	Juvenile (N=483)	Adult (N=397)	Subsidy Line Workers (N=198)	Non-Subsidy Line Workers (N=522)
Are you basically satisfied with the promotional system in your agency?					
Yes	46	49	42	35	48
No	54	51	59	65	52
Do you have sufficient clerical and stenographic help?					
Yes - more than necessary	8	8	8	18	4
Yes - sufficient	55	62	46	68	52
No	37	29	45	14	44
Is your workload:					
Completely manageable	17	17	18	29	10
More or less manageable	64	69	60	66	66
Unmanageable	18	15	23	5	25
Generally, are your working conditions:					
Good	57	58	56	64	53
Fair	34	34	32	29	36
Poor	9	7	11	7	11
Is your salary:					
Good	53	51	56	48	55
Fair	42	45	38	42	41
Poor	5	5	6	9	4
Estimate how high the morale in your agency is:					
High	30	32	28	26	32
In between	42	43	42	41	40
Low	28	26	30	33	28

* Percentages may not add to 100% because of rounding.

also estimated the level of morale to be lower than was estimated by the non-subsidy probation officers. Thus, while the subsidy program has had some obvious effects in bringing about improvements in working conditions in some areas, it has not resulted in improving conditions in other areas. Low morale continues to be a problem among a significant number of probation officers.

Suggestions for Change

Several changes were suggested which would affect the structure of probation departments and the way they operate. One suggestion would make probation entirely a supervision program by removing the investigative functions it now performs. Another suggestion would further reduce the work of officers supervising cases by having all revocation of probation matters handled in court by the district attorney. A third suggestion, frequently voiced, was to place the appointing power for all chief probation officers in the hands of the boards of supervisors. With regard to this last point, Task Force Staff feels that, once a defendant is placed on probation, the court's role should be limited to insuring that the rights of society and each client are protected. However, the court should not be involved in determining specific correctional strategy in individual cases or in setting policy for probation programs. Because judicial assignments are rotated regularly in many counties, the smooth administration of all phases of probation, including supervision, would be enhanced if judges no longer influenced departmental administrative operations. The following observations, made ten years ago by the Governor's Commission, continue to be valid today:

> "The present administrative arrangement produces an unnecessary comingling of judicial and treatment functions without parallel in any other court. In our view, there is no more logic for a juvenile court judge to administer a probation department than for a criminal court judge to be administratively responsible for the district attorney's office, county jails, or honor farms. In the adult field, these functions have been recognized as separate and distinct; the same should apply to the juvenile field.
>
> "The present administrative relationship between juvenile court judges and probation departments is an inappropriate historical vestige, created 50 years ago under totally different social and governmental conditions. The large scale probation departments of today bear little resemblance to their historical counterparts. Nowadays, probation departments have extensive administrative responsibilities, whereas a half century earlier they had only minor administrative responsibilities. Today, probation departments not only have large professional staffs, but also operate clinics, juvenile halls, and camps. Fifty years earlier, their staffs were small and no institutions were administered."[27]

When judges exert influence in both departmental policies and programs, and when budgetary control for departments is exercised by county chief administrative officers and boards of supervisors, chief probation officers frequently find themselves caught between dictates of the judges and fiscal controls exercised by the county.

Judges should be no more involved in the administration of probation departments, on a de facto basis or otherwise, than they are in respect to any other branch of government. Unfortunately, judges who are not normally trained as administrators sometimes are reluctant not to inject themselves into the administration of the probation department. Of the 15 counties studied, staff perceived situations in at least two counties where the court clearly dominated the administration of the probation department and, in another county, a judge complained about local statutory actions which had reduced the court's ability to dominate the administration of the probation department.

IV. RESOURCES

Community Resources

When asked about the most important resources needed to do an effective job, the most frequently mentioned factors had to do with placement resources, help for drug abusers, employment and educational opportunities, mental and medical health services for clients, and financial aid for probationers in need.

One of the major areas of need outlined by the 1964 study on probation was the development of specialized community correctional facilities to handle juvenile offenders exhibiting different types of problems and needs. There was an acute shortage of foster homes, community treatment centers, and virtually no specialized facilities for taking care of the female delinquent.

The Probation Task Force found that in many instances these shortages continue to exist even though seven years have elapsed since the former study. Many workers expressed the wish to have a variety of living situations available to meet the needs of the homeless offender and those needing placement away from their own homes. Hostels, group homes, and foster homes are needed as well as non-residential day care facilities. Particular concern was expressed about the need of placement resources for female offenders.

One of the needs most frequently identified by staff was the lack of adequate specialized facilities to deal with the drug abuser. While in 1964, drugs were not as much a part of the youth culture as they are today, the staff at that time did express the need, as mentioned above, for more facilities dealing with offenders presenting special problems. In the current study the Task Force found much the same concern expressed by staff. Many probation officers felt unable to cope with the needs and problems of drug offenders, and expressed the desirability of having both residential and daytime community treatment centers. However, the Task Force did find various

new approaches to the supervision of drug abusers now in use. Some departments concentrated drug abusers in specialized caseloads; chemical anti-narcotic testing was used by some departments; others placed probationers in group counseling or intensive supervision caseloads; still others operated drug education programs for offenders and their families. In many instances, however, drug abusers were placed in general caseloads and received the same treatment as non-drug offenders.

However, while it is apparent that drug users often need special types of treatment, the question arises as to whether it is better to supervise caseloads consisting of all drug abusers, or whether they should be distributed in caseloads and programs consisting of other types as well. Traditionally, an attempt often has been made to group these offenders in the same program or caseload. Recently, a number of questions have been raised regarding the wisdom of this approach. For example, in a recent discussion of the California Rehabilitation Center for drug addicts, it was pointed out that:

> "...the very existence of CRC as a separate institution for addicts, and the very notion of a group session of addicts, reinforce the idea of the addict as a separate kind of person, thereby creating unanticipated and very undesirable side effects. The (program) emphasizes consciousness of kind because it is a separate structure for addicts. What is more important, the group therapy-sessions have the explicit function of developing a community of men involved in elaborate introspection about themselves as a special and different case. The importance of an identity as an addict is set against the "normal" or nonaddict world.
>
> "...A side effect of the success of this program may be to instill in the ex-addict a sense of his identity as an addict who best belongs among others of the same type--other addicts. It may be that the ex-addict comes to believe that "squares are really different", that there is something about one who takes drugs which does make a qualitative difference. The unanticipated consequence of such a community, whether it is a therapeutic community or a living community, is that the members may come to feel a kinship with each other which supercedes their involvement with those outside the community."[28]

Another area of need identified by the 1964 Probation Study was in diagnostic and psychiatric services. The study found that, almost without exception, staff in all 17 probation departments falling within its scope indicated a lack of resources for diagnostic workups on defendants being considered for probation.[29] Even metropolitan centers, where major resources for psychiatric services were located, felt the existing need. Psychiatric services in rural areas were virtually non-existent.[30]

In the present study, the Probation Task Force found that staff continued to express concern over the lack of mental as well as medical health services for clients under their supervision. The general feeling was expressed that more persons in need of mental health services are under probation supervision than in the past, and thus there is an increased demand for these services.

Expanded resources in the areas of employment and education were called for, with officers seeing the need for job training and more opportunities for clients to work. The need for special help in schooling was felt most acutely for those who have dropped out of school and for those who do not function in the usual public school program.

A further resource needed is financial aid to provide the basic necessities of life for destitute clients.

It is an accepted maxim that for most offenders the time when guidance and financial assistance are most needed is at the outset of supervision. Walker comments on this point:

> "The days or weeks immediately after release, when the ex-prisoner has not yet begun to earn money and has not yet settled down in a home, are said to be the time when he is especially likely to commit another offence...his first wage-packet may seem so far off that he steals in order to raise ready money."[31]

A number of probationers interviewed by the Task Force spoke of their need for food, housing, clothing, and transportation while they were trying to establish themselves in the community. Many clients felt such assistance, as well as help in finding and maintaining employment, were the critical issues related to success in the community. It will be recalled that, when probationers were asked how helpful a job was in keeping them out of trouble, 69% of 1,296 adults sampled said a job helped "a lot" and an additional 14% said a job helped "some". Many probationers wrote comments at the end of the questionnaire about their need for help in finding employment.

Profile of Staff

The best available data indicate that probation offers one of the most significant prospects for effective programs in corrections.[32] State and Federal correctional authorities have recognized its great value as well as economy, and as a result probation has become the dominant correctional alternative for persons convicted of crime. In 1965 slightly more than half of the offenders sentenced to correctional treatment were placed on probation, and according to recent estimates, by 1975 the figure will increase to almost 60%.[33] Hence, the quality of manpower in the field of probation is an extremely important consideration in the overall corrections picture and is closely related to the ultimate success of the field.

Below is a profile of some of the more significant characteristics of probation staff in the 15 counties surveyed by the Task Force.

1. Sex

Nearly 75% of total staff are male.
72% of line workers are male.
Only 18% of supervisors are female.
75% of administrators are male.

2. Age

Nearly 50% of total staff are in the 25-35 range, but only 27% of supervisors are in this range.
33% of total staff are in the 36-50 range, but over 50% of supervisors are in this range.
Only 6% of total staff are below 25; only 12% are over 50, though 43% of administrators (not including department heads) are over 50.

3. Race

Only 16% of total staff are not white (9% black, 2% Latin-American, 3% Oriental, and 2% other).
83% of line workers are white, 87% of supervisors are white.

4. Years Full-Time Experience in Corrections

50% of total staff have 5 years or less experience, but only 9% of supervisors have this amount.
Only 12% of total staff have over 15 years experience, but over 25% of the supervisors have this amount as do over 75% of the administrators.
50% of total staff have 3 - 10 years experience.

5. Time on Current Assignment

Over 70% of total staff have 2 years or less.
80% of supervisors have 5 years or less.
Only 4% of total staff have been on the same assignment over 10 years, though 22% of administrators are in this category.

6. Recommending Corrections As A Career

79% of total staff would, but 16% are not sure; only 5% would not.

7. Future Career Plans of Staff

67% of total staff plan to make a career in corrections, 25% are not sure; only 9% plan to leave.

Training

One of the major concerns in the correctional services has revolved around the question of training for staff. This was a concern in the 1964 Probation Study, as it is in the present Report. The same 15 counties were surveyed in both studies, and the probation officers were asked to specify the level of formal education they had attained. For purposes of comparison, the results from the 1964 study are shown in Table XI along with the results from the present Task Force Survey. It can be seen that striking similarities existed in the educational level of the two groups. In both studies, fully 96% of the probation officers responding to the questionnaires had achieved at least a bachelor's degree. It is to the credit of probation in California that a high level of education has been maintained throughout the years, and it should be noted that this compares very favorably with the educational level achieved by probation officers around the United States.[34] Table XI also shows the college major, and it can be seen that in 1964, as today, sociology was the most popular major, followed by the field of psychology.

In addition to the level of education already attained, the Probation Task Force asked the probation officers if they were currently attending school. The results, shown in Table XII, indicate that one-third of the staff were attending school at the time of the survey. Most of them were either taking job-related college courses (beyond the bachelor's), or were working on their master's degree. Thus, it appears that high priority continues to be assigned to formal education even after individuals obtain employment in the field of probation.

Table XII also shows that approximately three-quarters of the staff had taken some job-related courses or specialized training since entering the field of corrections. However, only 56% claimed that their agency encouraged further education by providing stipends, giving employees time off and so on. Over one-quarter (27%) stated that their agency encouraged further education, but only on their own time, and 11% asserted that their agency did not encourage further education.

In short, the formal educational background of the probation officers surveyed is beyond reproach. Almost all of them were graduated from college, many were pursuing advanced degrees, and many were employed in agencies which encouraged further education. The high educational quality, noted in the 1964 Probation Study, has continued to exist.

However, while the probation officers were well-educated formally, at the same time they strongly felt the need for additional training aimed specifically at improving their effectiveness as probation officers. In staff discussions with Task Force interviewers, the need mentioned most frequently was to improve counseling skills. This included individual, group, and family counseling, as well as crisis intervention. There was considerable demand for orientation training for new staff and for some kind of basic uniform training requirements which would lead to a program of certification for deputy probation officers. The details as to whether this could be accomplished best through a State Academy, through regional centers, or in local trainee programs seemed less important to people than

TABLE XI

EDUCATIONAL BACKGROUND OF PROBATION OFFICERS

IN 1964 AND 1970 IN 15 SAMPLE COUNTIES

(Percentage Distribution *)

	1964[a] Probation Study (N=1,317)	Present Study (N=880)
Education:		
High School	2	1
High School w/some College	1	--
2 years College	1	3
Bachelor's Degree	67	66
Some Graduate Work	19	20
Master's Degree	11	8
Doctorate Degree	--	1
College Major:		
Sociology	23	20
Psychology	16	17
Social Work	10	10
Criminology/Corrections	8	10
Law-Prelaw	2	2
Public Administration	2	5
Social Science	9	10
Police Science-Criminal Justice[1]	--	2
Education[2]	--	6
Other	17	17
General Social Science[3]	7	--
None[4]	4	--

* Percentages do not add to 100% because of rounding.

a Source: California Board of Corrections, Probation Study, State of California, (Sacramento, 1965), p. 73.

1 Was not a category in 1964 Study

2 Was not a category in 1964 Study

3 Was not a category in present Study

4 Was not a category in present Study

TABLE XII

STAFF PARTICIPATION IN ACADEMIC STUDIES

(Percentage Distribution *)

QUESTION	Total Staff (N=880)	Juvenile (N=483)	Adult (N=397)	Subsidy Line Workers (N=198)	Non-Subsidy Line Workers (N=521)
Are you attending school now:					
Yes - but not job-related	5	4	8	5	7
Yes - working on Bachelors (job-related)	1	1	2	1	2
Yes - working on Masters (job-related)	14	17	9	14	14
Yes - working on Doctorate (job-related)	1	1	2	1	1
Yes - job-related, but not working on degree	12	15	8	19	10
No	67	62	72	61	66
Since you have been employed in corrections, have you taken any job-related courses or specialized training? (Do not include in-service training)					
Yes	73	77	69	82	66
No	27	23	31	18	34
Does your department encourage further education?					
Yes - by stipends, agency time off, or similar aids	56	60	52	45	61
Yes - but only on one's own time, money, etc.	27	25	30	33	23
No	11	10	13	17	10
Don't know	5	5	5	5	6

* Percentages may not add to 100% because of rounding.

obtaining support for the establishment of entry level standards and meaningful in-service training.

A special need for training was noted among first line supervisors, as they often are not included in training programs for other staff. This is in keeping with the findings of the Joint Commission on Correctional Manpower and Training which reported on a study of training in probation departments across the country. The Commission found that less than half the departments serving over 100,000 population provided in-service training for supervisors and that only 16% of the departments in smaller areas did so.[35] The void in training for supervisors also was noted by the 1964 Probation Study. In that study, many panelists interviewed strongly suggested improved training for supervisory personnel as a means of improving overall administrative practices.[36] Substantial numbers felt that trained middle management and supervisory personnel were the basic ingredient of an effective probation operation.[37]

The recent California Correctional Training Project reported that few supervisors had received training in the principles and methods of supervision before they were promoted and that opportunities were very limited for obtaining such training while on the job.[38] In brief, the need for training of administrative personnel continues to exist notwithstanding the expressed concerns of those working in the field, both in 1964 and again in 1970.

Line workers in subsidy programs had a heavier involvement in training than those in regular supervision, but there appeared to be a spillover effect, partly due to rotation, which resulted in increased training for all staff.

Twenty-nine percent of the staff sampled by the questionnaire said no in-service training existed and 48% said they had no ongoing training program. The percentage of subsidy and non-subsidy line workers reporting that in-service training was not existent or ongoing is shown in Chart II. Fifty percent more non-subsidy than subsidy line workers in juvenile assignments said they were receiving no training, although little difference was reported between workers in adult assignments. The other point to be noted is that no training was reported by a slightly higher percentage of adult subsidy workers than juvenile non-subsidy workers. The most significant finding is that nearly 50% of all staff, except juvenile subsidy workers do not receive ongoing training. This is especially discouraging in light of the fact that the 1964 study of probation found that a program of ongoing training for staff development was deemed to be one of the most critical needs facing probation.[39] Only two chief probation officers in the sample counties reported that they considered their in-service training, even for subsidy workers, to be intense. Responses to questions about the amount of time spent in training and how people felt concerning the relevancy and individuality of in-service training, can be seen in more detail in Table XIII.

One of the more interesting training proposals noted by the Task Force was one county's plan to train a small number of officers to work with clients in family planning and family financial problems. This plan resulted from a recognition that a number of clients needed assistance related directly to family management problems and from a concomitant recognition that staff needed special training for this task.

CHART II

TRAINING FOR PROBATION LINE WORKERS

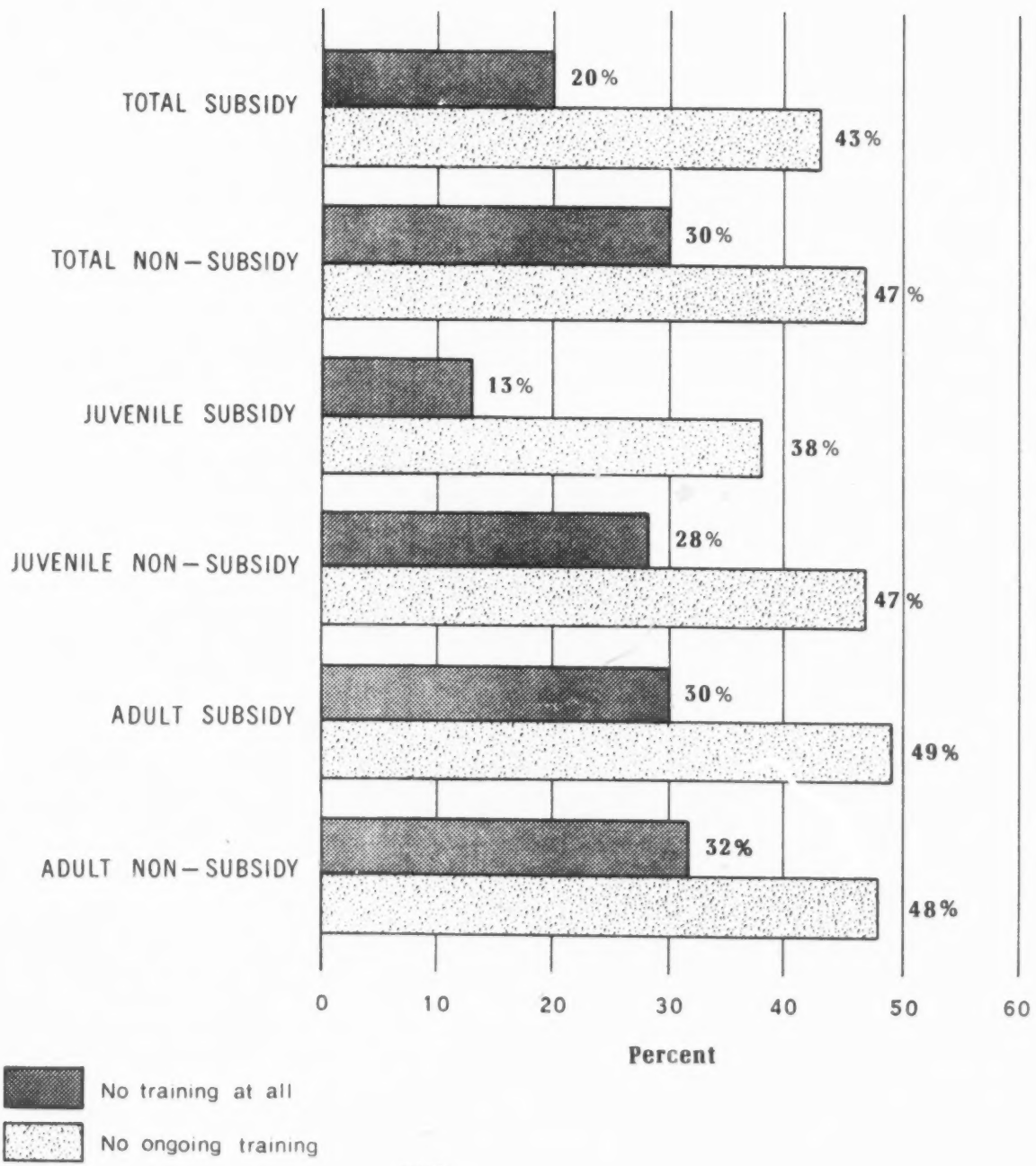


TABLE XIII

STAFF DESCRIPTION OF IN-SERVICE TRAINING

(Percentage Distribution *)

QUESTION	Total Staff (N=880)	Juvenile (N=483)	Adult (N=397)	Subsidy Line Workers (N=198)	Non-Subsidy Line Workers (N=522)
In your agency, is the in-service training for employees of your level (check ALL answers that are applicable):					
Existent:					
Yes	71	75	67	80	70
No	29	25	33	20	30
Relevant:					
Yes	62	66	57	68	60
No	38	34	43	32	40
Individualized:					
Yes	27	30	25	33	26
No	73	71	75	67	74
Ongoing:					
Yes	52	54	49	57	53
No	48	46	51	43	47
If you receive in-service training, how many hours per month?					
1 - 2 hours per month	45	40	50	30	53
3 - 4 hours per month	20	24	15	20	18
5 - 9 hours per month	19	19	20	22	17
10 or more hours per month	16	18	14	28	12

* Percentages may not add to 100% because of rounding.

The question of what roles the State and counties take in the delivery of future training programs was of particular interest to the Task Force, especially since counties overwhelmingly asked for the State to provide an increasingly greater part in the training of all personnel. Over 70% of the presiding superior court judges, chairmen of boards of supervisors, and county administrative officers in the sample counties supported this position.

In summary, it is clear that probation officers feel the need for additional and more relevant training. However, the subject of training is generally approached with a casework orientation, that is, concerned with improving supervision techniques, counseling skills, and so on. There is little, if any, concern expressed for training that would be consistent with the idea of "managing" community services to reintegrate offenders.

Further, there is no uniformity of training efforts around the State. The variation ranges from nothing to highly organized programs that provide something for all staff members. However, the preponderance of existing training is limited to personnel in subsidy assignments. Fortunately, there seems to be some spillover to personnel in regular supervision units and it appears that subsidy has had real impact on some department heads in making them aware of the values and the need of training for all staff. An appalling lack of uniformity exists in services given to probationers as a result of the lack of uniform training programs for staff. This is one of the major areas which needs to be addressed by probation in the immediate future.

Use of Nonprofessionals

The nonprofessional group is comprised primarily of volunteers, student workers, and para-professionals such as "New Careerists" (defined as persons placed in entry positions newly created at a level commensurate with their education and experience and from which they are expected to advance), including ex-offenders. The Task Force found considerable support voiced for the use of nonprofessionals to assist in probation supervision, but despite this verbal support their actual use was quite limited, with some notable exceptions. Even the verbal support was far from unanimous, with some staff vehemently opposing the use of anyone but professionals. Table XIV shows responses to questions about the use of nonprofessionals.

It is clear that any successful use of nonprofessionals necessitates proper planning, selection, training, and supervision. For example, Scheier has warned that not investing adequate time and resources often will lead to failure of a volunteer program. The experience of those departments using nonprofessionals indicated that initially staff costs for managing the program outweighed the return received, but eventually the balance changed as the output of services from the nonprofessionals increased.

The use of nonprofessionals is just beginning to expand in California, but it is an area which already has proven its worth and gained wide acceptance elsewhere. In Great Britain, for example, the use of volunteers is one of the most important segments of the correctional system. A recent British report on voluntary service described these persons thusly:

TABLE XIV

STAFF INTEREST IN USING NONPROFESSIONALS

(Percentage Distribution *)

QUESTION	Total Staff (N=880)	Juvenile (N=483)	Adult (N=397)	Subsidy Line Workers (N=198)	Non-Subsidy Line Workers (N=522)
Could you use volunteers to help you in your normal work?					
Yes	71	78	63	77	69
No	29	22	37	23	31
Could you use "New Careerists" or other para-professionals to help you in your normal work?					
Yes	84	87	80	85	83
No	16	13	20	15	17
If a "New Careerist" or other para-professional was available to assist you, would you want to make use of his services?					
Yes	79	84	74	86	77
No	8	5	11	6	9
Not Sure	13	11	15	8	14
Should "New Careerists" and other para-professionals be allowed and encouraged to work their way up to regular line and supervisory positions in your agency provided they meet the necessary requirements?					
Yes	91	92	89	91	91
No	9	8	11	9	9

* Percentages may not add to 100% because of rounding.

> "Volunteers are best viewed as the activist minority within the public at large. They should be seen, not as substitute probation officers trying to fill the role of amateur social case-worker, but as representatives of the public, prepared to offer some part of their time to assisting in the reintegration into society of men and women who its system has condemned...."[41]

Volunteers tend heavily to be middle class and thus can serve as effective mediators between probation departments and the middle class community. As yet, little experience has been reported of attempts to use volunteers from the lower economic class. In the Los Angeles County VISTO (Volunteers in Service to Offenders) Program, volunteers actively provide services to regular probationers as well as to subsidy units. VISTO offers tutoring, transportation, legal assistance, counseling, and a whole range of other services. The use of community workers or probation aides has become common in some subsidy units and is said to offer much promise in meeting the basic needs of probationers in a treatment sense and of providing a liaison between officers and clients.

There is a growing interest in using ex-offenders as "New Careerists" in the correctional field, and several probation departments have embarked on such programs. The value in following this course of action was pointed out by Empey. He listed four potential payoffs accruing from the use of offenders in correctional positions, stating such use would:

> "1. Seek to use his knowledge as a resource rather than a liability;
>
> 2. Involve him actively as a reformer rather than as a perpetual enemy or a persistent dependent;
>
> 3. Constitute a rite of passage back from a criminal to a non-criminal status;
>
> 4. Provide him with a career which could be a source of personal and social esteem rather than a source of stigma and degradation."[42]

Among the positive reports received by the Task Force on the use of nonprofessionals, one came from a county that successfully used volunteer addicts as assistant leaders with groups of drug users and their parents. Other reports from both staff and clients favorably mentioned the liaison role played by New Careerists between officers and the neighborhoods where clients reside. A number of clients reported that these para-professionals were able to relate to ex-offenders, and urged that probation departments hire more such persons. In corroboration of this, over half the clients indicated in the questionnaire that they had been helped to stay out of trouble by someone who also had been in difficulty. Another positive result of using ex-offenders and New Careerists comes from the effect they

have on professional staff who get an opportunity to work closely, often for the first time, with an offender and a member of a minority group.

The President's Commission on Law Enforcement and Administration of Justice has strongly endorsed the idea of using nonprofessionals, including ex-offenders and volunteers, in the field of corrections.[43] Frequently these persons occupy crucial links between the offender and the community's resources, and can thus be instrumental in facilitating the reintegration process.

It is abundantly clear that a vast source of additional correctional manpower is to be found among volunteers and para-professionals. Probation departments in California cannot afford to overlook this tremendous resource. Increasingly, the professional is being asked to perform administrative tasks and a variety of other responsibilities that leave him with less time to work directly with the offender. Moreover, the offender frequently has needs requiring the services of persons with specialized skills. Many volunteers and para-professionals possess skills in limited areas which could be used effectively and economically by the probation officer. The very high general level of education attained by most probation officers makes them uniquely suited to coordinate and work with the spectrum of individuals, groups, and agencies located in the community. A significant part of this role would be to recruit, coordinate, and direct the activities of volunteers and para-professionals, including ex-offenders.[44] The Probation Task Force strongly recommends expanding the use of these persons in the field. An effective division of labor between the professional worker and the non-professional is clearly possible and would lead to the dispensing of more adequate correctional services with minimum cost to the community.

State Consultative Services

Responsibility for the major portion of the State's consultative services for the counties lies with the Community Services Division of the Youth Authority. This Division has only 21 staff members available to the 58 counties for consultation and advice. In addition, the Division performs liaison and staff services to organizations that are concerned with serving children and youth, including liaison between probation departments and groups concerned with youth. With the Community Services consultants has rested much of the responsibility for coordinating public and private organizations in order to promote and/or develop community-wide programs for the prevention of delinquency. Programs supported by State delinquency prevention funds are also audited by the consultants.

Consultation and technical assistance consists of assisting communities to integrate and coordinate their criminal justice system. In addition, inspections are conducted in juvenile halls, camps, ranches, and schools and any jails in which juveniles are held. Training is one of the major areas of concern and consultants provide programs for law enforcement, probation and related agencies. Both one-day and residential training sessions are provided.

One of the major responsibilities of the Division is the administration of probation subsidy. Consultants from the Community Services Division advise probation departments, judges, county officials and others about the subsidy program and may assist counties in drawing up plans for participating in the program. The Division must review and approve or disapprove all plans submitted. The Division also is responsible for interpreting standards which have been set for subsidy programs, for ongoing operations of all subsidy programs, and for annual audits of these programs.

Ideally, each consultant in the Division is available with expertise in prevention and treatment programs tailored to particular problem areas within the counties. However, the 13 chief probation officers in the sample counties who responded to a questionnaire from the Task Force indicated that the impact of Youth Authority consultants ranged from extremely helpful to no help at all. Many of the chiefs believed that the consultants were overworked by the various duties required of them, often leaving them little time to spend in the probation departments. Because of this situation, several consultants were not even contacted whenever problems arose in the probation departments. Two counties reported that they had requested help, but none had ever been forthcoming. Eight counties reported their satisfaction with the expertise of the consultants.

The Department of Corrections provides no formal services to probation departments although anti-narcotic testing has been provided on a contractual basis and occasional cooperative training programs are arranged between local parole offices or institutions and probation departments.

The Board of Corrections provides consultative services to counties and cities operating jails through its field representative for jail services. In addition, there is a statutory provision for review of construction plans, standard setting, and inspection of existing jail facilities.

The California Council on Criminal Justice exists for the purpose of reducing the incidence of crime and delinquency by providing financial support to various agencies having criminal justice responsibilities. CCCJ is also established to provide statewide planning and coordination in the criminal justice field. Grants have been made to a large number of public and private agencies in order to assist the Council in its purpose of reducing crime. Council funds come from the Federal government under authorization of the Omnibus Crime Control and Safe Streets Act of 1968.

In summary, local probation departments appeared receptive to and desirous of State consultative services, but indicated that sufficient services are not now available from the State. The one area in which many counties were resistant to State intervention was in setting and enforcing mandatory standards or establishing mandatory regulations---unless these applied to State subsidized programs. Only 9 of the 17 chief probation officers in the study counties favored the State establishing and enforcing standards for non-subsidized programs or facilities, while 15 of the 17 favored this when the State also subsidized the programs or facilities. Similarly, only 37% of the presiding judges of superior courts, chairmen of boards of supervisors, and county administrative officers favored manda-

tory standards by the State, unless there are accompanying State subsidies, in which case, 76% of the same local officials favored such State-imposed mandatory standards.

V. EVALUATION

While wide support generally is given to the concepts of "evaluation" and "research", with a few notable exceptions, little has been done to put them into operation. Similarly, little is understood as to their meaning or the role research and evaluation can play.

Most probation personnel indicated that they believed there was a place for research and evaluation in probation. There was, however, dissent to this position, coming in the main from those who did not wish to get involved in additional responsibilities and those not clear as to what value might accrue from research and evaluation.

Some held high hopes that research and evaluation could enable staff to know which supervision programs worked, as well as their cost-effectiveness. Other staff had expectations that research and evaluation could guide decision-making, evaluate the effectiveness of individual officers, lead toward simplified differential treatment programs, and move toward the use of a base expectancy scale. Many workers asserted that they received little feedback from the research that was being done and thus concluded it must not be relevant to supervision. The Task Force noted a lack of understanding about research and evaluation on the part of workers and administrators, particularly in areas where their contact with research was limited to submitting data to the Bureau of Criminal Statistics.

It is clear that the State should play a major role in conducting research, whether through continuation of the present procedure of compiling statewide statistical reports by the Bureau of Criminal Statistics and conducting State research in the Department of Corrections and the Youth Authority, or whether through joint efforts with counties in special studies.

Systematic evaluation of the subsidy program was initiated by the Youth Authority in September, 1970, by collection of data on a monthly basis indicating caseload movement in the subsidy program. It should be noted, however, that in previous years the Youth Authority made several attempts to secure funds for subsidy evaluation, but was unsuccessful. It was decided in 1970 that the Youth Authority would contract with the Bureau of Criminal Statistics of the Department of Justice. By utilizing the Bureau's reporting system, the Youth Authority will have access to data allowing comparison of subsidy cases with non-subsidy cases. This will permit a wider, more flexible evaluation which will be better equipped to answer questions regarding subsidy's impact on the field of probation. However, it will be some months before enough data are collected for meaningful evaluation.[45]

One suggestion of particular interest to the Task Force was for the State or some private group to establish a "think tank" unit where persons

knowledgeable and interested in the field could gather for concentrated long range planning about supervision and related concerns.

Systematic evaluation of the goals, objectives, and operation of probation supervision is difficult, because these factors often do not lend themselves readily to evaluative measures. However, in the opinion of the Task Force, it is extremely important to establish some means of evaluating probation supervision. Strong support was given this position by criminologists Morris and Hawkins who have indicated that no correctional practice should exist or be introduced without an accompanying program of evaluation. They contended that:

> "...half the time of all probation officers is now wasted by the application of their services to those who do not need them (and who should be bound over or on suspended sentence or supervised by other than skilled caseworkers) and to those who will not respond to their efforts (and who need more forceful casework supervision than the average probation officer can provide); and that it would be quite possible in a few years of evaluative research greatly to reduce that wastage, and at the same time better to protect the community."[46]

Wilkins has stated that the key elements of evaluation are: (1) information, (2) decision variety, and (3) pay-off or purpose. In this regard, he has defined one of the goals of evaluation as, "the discovery of that decision which, in the light of the available information, maximizes the probability of obtaining the pay-off desired".[47]

VI. ISSUES OF THE FUTURE

The Future of Probation

As stated previously in this Report, the local community should have primary responsibility in delivering services to the offender. The State should have the overall enabling responsibility. Every effort should be made to retain the offender in the community to maximize his chances for successful reintegration. As the Juvenile Institution Task Force Report, as well as the Reports dealing with county jails and prisons have pointed out, the offender should be incarcerated only as a last resort.

There is little doubt that probation has one of the most important roles to play in the reintegration process, and that many persons now being incarcerated in institutions could be effectively supervised in the community without seriously jeopardizing the safety of the community. Perhaps the best known effort to determine the extent to which probation could be used was a demonstration project conducted in Saginaw, Michigan, over a three-year period.[48] In that project, the judges agreed to increase the number of persons placed under the supervision of trained probation officers. Prior to beginning the project, the judges had used probation in about 50% of the

cases; with the project's inception, they increased the use of probation to 80%. Despite the 60% increase in the use of probation, there was no increase in the revocation rate over the three-year demonstration period.[49]

There is little reason to believe, therefore, that increasing the use of probation will lead to diminished community safety. In California, between 1961 and 1967, the percent of adults granted probation after a superior court conviction increased by 31%. Yet the probation violation rates remained virtually constant.[50] This was true for violations involving new crimes, as well as those involving the violation of conditions of probation. The Task Force strongly encourages the increased use of probation as a sentencing disposition.

As the number of clients on probation has increased, the need for a greater variety of services has also increased. As stated earlier in this chapter while the probation officers in California are exceptionally well-educated, they cannot be expected to possess all of the specialized skills required to serve the expanding client population effectively. The probation officer cannot hope to master all of the requisite skills. The field, therefore, should move away from an exclusive casework orientation and move toward a balancing of this traditional role with the newer perspective outlined in this chapter. As indicated earlier, this perspective would define the probation officer's role as a "manager of services" where the focus would be on determining the needs of probationers, locating the required specialized services, coordinating the services, and evaluating their relative effectiveness in the reintegration process.

Consistent with the emphasis stated above, the move of the future is for probation to get out of large office buildings and make use of "storefront" locations, mobile offices, and cars. Use of a community correctional center might be appropriate for consolidating some services for probationers, including in-residence treatment, a 24-hour crisis intervention service, and work with groups.

With regard to groups, support came from a number of probationers for an increase in group work although many cautioned against mixing different types of offenders in the same group, particularly if some were heavy drug abusers. (The possible dysfunctional consequences of too heavy a concentration of the same type should be recalled.) About 75% of those who have been in group counseling reported in the questionnaire that this process helped them. Support for group work is noted in the writings of criminologist Howard Jones who observed that the probation officer cannot do his job well unless he is able to work with groups. He added:

> "There are certain opportunities for influencing offenders which exist only in the group situation--in the form of mutual interaction and stimulation within the group, and the exploitation of the influence of the public opinion of the group over its members."[51]

From several areas of the State, proposals were made to the Task Force to add to supervision rolls clients who have not been sentenced. It

was suggested that use of informal probation for adults, similar to that used with juvenile offenders under Section 654 Welfare and Institutions Code, be permitted.

The suggestion to remove the officer from the adversary role in juvenile court received a great deal of support, particularly from supervision officers who must appear in court as a part of their job. Several reasons underlie the desire of so many probation officers to get out of the adversary role. Since 1961 there have been significant changes in the California juvenile court scene. These changes have included the frequent appearance of public defenders and private attorneys on behalf of minors, a decline in the formality of the court, and more stringent rules relating to evidence and proof. They have all contributed to making the job of the probation officer in court more difficult. The biggest objection, however, is the difficulty in resolving the conflict of roles which has been imposed on probation officers because of an increase in the adversary nature of juvenile proceedings. Probation officers expressed strong displeasure over having to be a friend and counselor in supervision and a prosecutor in court.

One of the most widely supported hopes for the future of probation line workers lies in horizontal promotions. Over 90% of 884 staff expressed their support for such lateral pay increases for line workers. Supporters of such a program state it would improve case supervision because of increased stability of staff, continuity of service to the client, and, most significantly, because highly competent caseworkers can be promoted without leaving the jobs at which they are most skilled.

Another area where an improvement in supervision is expected to result is through better public relations. The inadequacy of public education on behalf of corrections, especially probation, is well-documented. A survey of California correctional public relations, conducted in 1962, concluded:

> "....it appears that public information is a much needed, but neglected aspect of the correctional field.
>
> "....While the public relations vacuum in corrections has frequently been the topic of discussion within the profession, very little material of a constructive, concrete nature has developed."[52]

The sad plight of public education on behalf of corrections was again noted by the Louis Harris and Associates public opinion survey organization, which, in November, 1967, reported:

> "....the American public does not know as much about corrections as it should. Public attitudes towards corrections are being formed within a factual vacuum."[53]

The questionnaire results clearly illustrate the gap which staff correctly perceive between corrections and public understanding or support. Eighty-four percent of all staff felt the public did not know "what corrections is all about" and 57% believed the public does not support corrections. Data

collected by staff revealed that, of California's 60 probation departments, only one has a public information officer.

Probation as Viewed by Clients

Although some clients saw probation as trying to help them, many looked on it as a punitive and impersonal service. Some preferred being interviewed at home by the officer and complained about being required to travel to the office, particularly when, upon arrival at the probation department, they found that their officer was not available to see them. Clients looked favorably on having an officer who is available to them, who is fair, and who helps them deal with the causes of their problems. Frequently, the difference in viewpoints expressed by clients about probation stemmed from the kind of supervision service they had received, with positive feelings being expressed more often by those under subsidy supervision.

Many probationers did not adequately understand the conditions of probation imposed on them, and thus were at a disadvantage in fulfilling them. Sometimes clients were given printed conditions with no explanation, and at times even the special conditions were not clarified. Clients frequently saw the conditions of their probation as vague, ambiguous, irrelevant, or inappropriate to them as individuals. A number of probationers noted the inconsistency of enforcement, and commented how this leads to disrespect for the conditions and for probation itself. Clients complained of conditions imposed on them that were unrelated to their problems. Cited as examples were restrictions on movements, such as not leaving the county without permission, not entering a place where alcohol is served, early curfew, and requirements for reporting to the office on specified dates to be "checked off". A written statement of rights and responsibilities would help clarify the conditions and also could provide guidelines for the client who needs to obtain assistance from an officer outside of office hours.

The Task Force believes that it is important to minimize the number of conditions of probation as much as possible and to impose only those that are appropriate to the individual offender so as to help bring about an improved attitude toward probation on the part of its clients.

FOOTNOTES

[1]Peter G. Garabedian, "Policy Questions in Delinquency Control: Perspectives of Police and Probation Officers", in Peter G. Garabedian and Don C. Gibbons (editors), Becoming Delinquent (Chicago: The Aldine Publishing Company, 1970), pp. 285-299.

[2]Report of the Assembly Interim Committee on Criminal Procedure, "Juvenile Court Process", State of California (Sacramento, 1970).

[3]Elaine B. Duxbury, Youth Service Bureaus, A Progress Report, Department of Youth Authority, State of California (Sacramento, January, 1971), p. 60.

[4]California Penal Code, Section 1203.

[5]Bureau of Criminal Statistics, Adult Probation, 1969, State of California (Sacramento, 1970), p. 13.

[6]Ibid., p. 17.

[7]California Legislature, Preliminary Report on the Costs and Effects of the California Criminal Justice System and Recommendations for Legislation to Increase Support of Local Police and Corrections Programs, State of California (Sacramento, 1969), p. 190.

[8]Ibid., p. 97.

[9]President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections (Washington: U.S.Government Printing Office, 1967), p. 34.

[10]Board of Corrections, Probation Study, State of California (Sacramento, 1965), pp. 140-141.

[11]Ibid., pp. 33-40.

[12]President's Commission on Law Enforcement and Administration of Justice, op. cit., p. 29.

[13]Clyde Sullivan, Marquerite Q. Grant, J. Douglas Grant, "The Development of Interpersonal Maturity: Applications to Delinquency", Psychiatry, 20 (November, 1957). Other classification systems were also mentioned by the probation staff. Some of the more commonly mentioned were: "FIRO-B", the maximum-medium-minimum system, base expectancy and lesser known systems. Additionally, one large county has developed a system known as "workload determined by plan", whereby the officer and his supervisor designate the amount of time needed for each case assigned. When the amount of time needed on a particular caseload equals 40 hours a week, the caseload is considered to be full and no more cases are added. Records must be kept on the time devoted to the various needs of each case and a quarterly review is held to re-assess the amount of time needed by each client.

Footnotes

[14]Marquerite Q. Grant, Interpersonal Maturity Classification: Juvenile, Department of the Youth Authority, State of California (Sacramento, 1961).

[15]For a general critique of I-levels, see Don C. Gibbons, "Differential Treatment of Delinquents and Interpersonal Maturity Levels Theory: A Critique," The Social Service Review, 44 (March, 1970), p. 22-33.

[16]Clayton A. Hartjen and Don C. Gibbons, "An Empirical Investigation of a Criminal Typology," Sociology and Social Research, 54 (October, 1969), p. 56-62.

[17]J. D. Lohman, A. Wahl, R. M. Carter, and A. E. Elliott, "An Afterview of Supervision," Research Report No. 10, The San Francisco Project: A Study of Federal Probation and Parole (Berkeley: University of California, School of Criminology, 1966).

[18]Herbert R. Sigurdson, "Expanding the Role of the Nonprofessional," in Paul Lerman (editor), Delinquency and Social Policy (New York: Praeger Publishers, 1970), pp. 343, 345.

[19]President's Commission on Law Enforcement and Administration of Justice, op. cit., pp. 20-22.

[20]Peter G. Garabedian, "Research and Practice in Planning Correctional Change," Crime and Delinquency, 17 (January, 1971), pp. 41-56.

[21]President's Commission on Law Enforcement and Administration of Justice, op. cit., p. 18.

[22]Department of Youth Authority, The Status of Current Research in the California Youth Authority, State of California (Sacramento, July 1970), p. 5.

[23]Board of Corrections, op. cit., p. 34.

[24]Ibid.

[25]Ibid., pp. 22-23.

[26]Ibid, pp. 33, 185.

[27]Report of the Governor's Special Study Commission on Juvenile Justice, Part I, State of California (Sacramento, 1960), pp. 39-40.

[28]Troy Duster, The Legislation of Morality: Laws, Drugs, and Moral Judgment (New York: The Free Press, 1970), pp. 149-150.

[29]Board of Corrections, op. cit., p. 40.

Footnotes

[30]Ibid., p. 41.

[31]Nigel Walker, Crime and Punishment in Britain (Edinburgh: Edinburgh University Press, 1968), p. 161.

[32]President's Commission on Law Enforcement and Administration of Criminal Justice, op. cit., p. 27.

[33]Ibid.

[34]Joint Commission on Correctional Manpower and Training, A Time to Act (Washington: U. S. Government Printing Office, 1969), p. 21.

[35]Ibid., p. 51.

[36]Board of Corrections, op. cit. pp. 22-40.

[37]Ibid., p. 33.

[38]Department of Youth Authority, Training for Tomorrow, State of California (Sacramento, 1970), p. 48.

[39]Board of Corrections, op. cit., p. 30.

[40]Ivan H. Scheier, Using Volunteers in Court Settings, Department of Health Education and Welfare (Washington: U.S. Government Printing Office, 1969), p. 2.

[41]Home Office, The Place of Voluntary Service in After-Care, Second Report of the Working Party (London: Her Majesty's Stationery Office, 1967), p. 1.

[42]Joint Commission on Correctional Manpower and Training, Offenders as a Correctional Manpower Resource (Washington: U.S. Government Printing Office, 1968), pp. 11-12.

[43]President's Commission on Law Enforcement and Administration of Criminal Justice, op. cit., pp. 102-104.

[44]Ibid., p. 102.

[45]Department of Youth Authority, Probation Subsidy Evaluation Progress Report No. 1, State of California (Sacramento, December 1970), p. 1.

[46]Norval Morris and Gordon Hawkins, The Honest Politician's Guide to Crime Control (Chicago: The University of Chicago Press, 1970), p. 252.

[47]Leslie T. Wilkins, Evaluation of Penal Measures (New York: Random House, 1969), p. 135.

Footnotes

[48]Cited in the President's Commission on Law Enforcement and Administration of Criminal Justice, op. cit., p. 28.

[49]Ibid.

[50]California Legislature, Preliminary Report on the Costs and Effects of the California Criminal Justice System and Recommendations for Legislation to Increase Support of Local Police and Corrections Programs., op. cit., p. 80.

[51]Howard Jones, Crime and the Penal System (London: University Tutorial Press, 1965), p. 265.

[52]Western Interstate Commission for Higher Education, Corrections, The Public, and You (Boulder, June 1968), p. 17.

[53]Joint Commission on Correctional Manpower and Training, The Public Looks at Crime and Corrections (Washington: U.S. Government Printing Office, 1968), p. 24.

CHAPTER V

PROBATION SUBSIDY

I. OVERVIEW

Probation subsidy in California is a system whereby the State pays participating counties for each juvenile or adult who is retained in the community instead of being committed to the Youth Authority or the Department of Corrections. This system, which became operative on July 1, 1966, has been an unprecedented success in reducing the rate of commitments to State institutions, and has had far reaching effects and implications, not only in probation departments, but throughout the entire correctional field. A modified version of the California probation subsidy law has been enacted by the State of Washington and information collected by the Task Force indicated that other states are also giving consideration to variations of the California model.[1]

The intent of the California Legislature in enacting the probation subsidy program was to increase the protection of the citizens, to permit a more even administration of justice, to rehabilitate offenders, and to reduce the necessity for commitment of persons to State correctional institutions. The hope was to rehabilitate offenders locally, by strengthening and improving the supervision of persons placed on probation by the juvenile and superior courts of the State, thereby reducing the necessity for commitment to State institutions.[2]

The program, unlike other subvention efforts, is based upon a "performance" principle wherein the State pays the counties for results achieved. Probation departments are encouraged to reduce their rates of commitment to State correctional facilities in return for payment based upon the average cost to the Youth Authority of a new commitment with one institutional stay followed by a successful parole experience. This is referred to as the "career cost" of the offender and is calculated by combining the institutional cost-per-bed, a pro-rated sum of construction costs based on a 30 year institution life expectancy, average length of stay in institutions, annual parole costs, and average time on parole for a first commitment. Thus, the funds to pay for improved probation services come from savings made by reducing the number of offenders entering the more expensive State system. Probation departments were expected to work with five or six clients for the same financial investment the State would expend on one. Probation subsidy was intended not only to reduce commitments, but to bring about improvements in supervision and treatment services provided by county probation departments. The main vehicle for this purpose was the requirement that the departments establish "special supervision" caseloads with "substantially below the maximum workload of 50 valid active supervision cases" per deputy.[3]

In summary, the probation subsidy concept involved the tying together of a powerful economic incentive to a particular type of correctional approach, that of a community-based probation system, rather than State institutionalization. It can be said, without qualification, that the subsidy picture

represents the most innovative approach to correctional field services in California history. Though the number of persons on probation being served under this system is only slightly more than 11% of the State's total probation population,[4] there has been a strong impact upon all of probation. By creating a requirement to provide intensive supervision to those persons in special subsidy caseloads, subsidy has proved to be a powerful stimulus to professional creativity in methods of treating or supervising those who might otherwise be committed to a correctional institution. As a result, in both subsidy and regular supervision units, there has developed an awareness that supervision of probationers can be more meaningful by using special strategies such as reduced caseloads, more frequent contacts, more supportive treatment of the client in his own environment, and additional training of the probation officers in casework methods, group therapy and family group counseling.

II. STATISTICAL DATA

The formula for determining subsidy requires several calculations related to the rate of commitment of offenders to the State. The average rate of commitment per 100,000 population is called the "base commitment" rate, and is determined on the average of past performance in the five-year period 1959-1963, or the two years 1962-1963, whichever was higher. The base commitment rate is the permanent standard against which increases or reductions in commitments are measured. The expected number of commitments for the current year is established by the State for each county, based on past performance and current population. Subsidy is granted if the county commits fewer cases than the number expected. The amount paid by the State varies from $2,080 to $4,000 per case, depending on the percent of decrease between the base commitment rate and the current commitment rate, with almost all participating counties currently receiving the maximum rate.

Probation subsidy is a voluntary program, in which 46 counties participated during the fiscal year 1969-70. Of the 46 counties, 44 had earnings totaling $14,200,160, and their average decrease in commitment rate was 30% for that year. The number of expected commitments to State institutions from 1966-67 to 1969-70 was 41,668, but the actual number was 30,862--a reduction of 10,806. In the same years, county earnings were $43,443,510.[5]

Table XV shows the performance of 14 sample counties in expected and actual commitments, amount of subsidy earned, and the percent decrease in commitment rate for each year from 1966 through 1970. The peak years for earnings by most sample counties were 1967-1969. At the same time, there was a drop in earnings by a number of counties for 1969-70.

Recent estimates by the California Youth Authority show total savings to the State in institutional costs for juveniles and adults, as a result of probation subsidy as follows:

TABLE XV

REPORT ON PERFORMANCE OF COUNTIES PARTICIPATING IN THE PROBATION SUBSIDY PROGRAM

	Estimated Population	County Base Commitment Rate	Expected Commitments	Actual Commitments	Commitment Reduction Number	Actual Commitment Rate	Percent Decrease In Rate	Subsidy
ALAMEDA COUNTY								
1966-67	1,047,500	64.5	676	440	-236	42.0	34.9	$ 944,000
1967-68	1,065,500	64.5	687	372	-315	34.9	45.9	1,260,000
1968-69	1,069,900	64.5	690	381	-309	35.6	44.8	1,236,000
1969-70	1,051,100	64.5	678	422	-256	40.1	37.8	1,024,000*
			*Special consideration as provided by Section 1825(g) W & I Code was given to Alameda County. The sum of $1,190,504 given in lieu of earnings.					
DEL NORTE COUNTY								
1966-67	18,100	117.8	21	9	- 12	49.7	57.8	48,000
1967-68	18,000	117.8	21	11	- 10	61.1	48.1	40,000
1968-69	16,700	117.8	20	11	- 9	65.9	44.1	36,000
1969-70	16,600	117.8	20	5	- 15	30.1	74.4	60,000
FRESNO COUNTY								
1966-67	415,600	70.6	293	209	- 84	50.3	28.8	336,000
1967-68	420,700	70.6	297	238	- 59	56.6	19.8	236,000
1968-69	417,300	70.6	295	228	- 67	54.6	22.7	268,000
1969-70	417,500	70.6	295	206	- 89	49.3	30.2	356,000
HUMBOLDT COUNTY								
1966-67	106,000	56.1	59	52	- 7	49.1	12.5	28,000
1967-68	105,900	56.1	59	27	- 32	25.5	54.5	128,000
1968-69	101,500	56.1	57	32	- 25	31.5	43.9	100,000
1969-70	101,000	56.1	57	40	- 17	39.6	29.4	68,000

TABLE XV (continued)

	Estimated Population	County Base Commitment Rate	Expected Commitments	Actual Commitments	Commitment Reduction Number	Actual Commitment Rate	Percent Decrease In Rate	Subsidy
LOS ANGELES COUNTY								
1966-67	6,957,200	63.5	4,418	4,369	- 49	62.8	1.1	$ 104,615
1967-68	7,032,400	63.5	4,466	3,841	-625	54.6	14.0	2,415,625
1968-69	7,101,400	63.5	4,509	3,244	-1,265	45.7	23.0	5,060,000
1969-70	7,000,800	63.5	4,446	3,150	-1,296	45.0	29.1	5,184,000
SACRAMENTO COUNTY								
1966-67	623,000	62.0	387	437	--	70.0	--	
1967-68	631,700	62.0	392	451	--	71.4	--	
1968-69	631,100	62.0	391	509	--	80.7	--	
1969-70	636,600	62.0	392	331	- 61	52.3	15.6	244,000
SAN BERNARDINO COUNTY								
1966-67	657,400	70.3	462	382	- 80	58.1	17.4	303,200
1967-68	667,700	70.3	469	371	- 98	55.6	20.9	392,000
1968-69	683,900	70.3	481	370	-111	54.1	23.0	444,000
1969-70	687,500	70.3	483	413	- 70	60.1	14.5	246,960*

*Special consideration as provided by Section 1825(g) W & I Code was given to San Bernardino County. The sum of $393,774 given in lieu of earnings.

SAN FRANCISCO COUNTY								
1967-68	747,500	67.9	508	408	-100	54.6	19.6	400,000
1968-69	748,700	67.9	508	355	-153	47.4	30.2	612,000
1969-70	706,900	67.9	480	451	- 29	63.8	6.0	81,200*

*Special consideration as provided by Section 1825(g) W & I Code was given to San Francisco County. The sum of $264,581 was given in lieu of earnings.

TABLE XV (continued)

	Estimated Population	County Base Commitment Rate	Expected Commitments	Actual Commitments	Commitment Reduction Number	Actual Commitment Rate	Percent Decrease In Rate	Subsidy
SAN JOAQUIN COUNTY								
1966-67	278,800	93.7	261	168	- 93	60.3	35.6	$ 372,000
1967-68	284,400	93.7	266	136	-130	47.8	49.0	520,000
1968-69	288,100	93.7	270	129	-141	44.8	52.2	564,000
1969-70	293,900	93.7	275	143	-132	48.7	48.0	528,000
SANTA BARBARA COUNTY								
1966-67	247,400	59.5	147	96	- 51	38.8	34.8	204,000
1967-68	249,800	59.5	149	95	- 54	38.0	36.1	216,000
1968-69	254,900	59.5	152	103	- 49	40.4	32.1	196,000
1969-70	260,900	59.5	155	106	- 49	40.6	31.7	196,000
SANTA CLARA COUNTY								
1966-67	927,300	38.2	354	212	-142	22.9	40.1	568,000
1967-68	966,800	38.2	369	256	-113	26.5	30.6	452,000
1968-69	1,011,900	38.2	387	259	-128	25.6	33.0	512,000
1969-70	1,032,600	38.2	394	307	- 87	29.7	22.3	348,000
SUTTER COUNTY								
1968-69	40,900	57.1	23	11	- 12	26.9	52.9	48,000
1969-70	42,400	57.1	24	14	- 10	33.0	42.2	40,000

TABLE XV (continued)

	Estimated Population	County Base Commitment Rate	Expected Commitments	Actual Commitments	Commitment Reduction Number	Actual Commitment Rate	Percent Decrease In Rate	Subsidy
TEHAMA COUNTY								
1966-67	28,300	102.5	29	13	- 16	45.9	55.2	$ 64,000
1967-68	28,500	102.5	29	10	- 19	35.1	65.8	76,000
1968-69	29,100	102.5	30	9	- 21	30.9	69.9	84,000
1969-70	29,800	102.5	31	10	- 21	33.6	67.2	84,000
TULARE COUNTY								
1966-67	191,300	65.0	124	60	- 64	31.4	51.7	256,000
1967-68	192,800	65.0	125	62	- 63	32.2	50.5	252,000
1968-69	192,400	65.0	125	60	- 65	31.2	52.0	260,000
1969-70	194,000	65.0	126	70	- 56	36.1	44.5	224,000

TOTAL SAVINGS 1966-72
(including estimates for 1970-71 and 1971-72)

	Annual Cost	Accumulative Cost to 1971-72
Support		
Cancelled Construction	$22,090,000	$67,590,000
Closed Institutions	5,302,820	9,012,000
New Institutions Not Opened	4,700,000	13,800,000
Construction		95,576,000
TOTALS	$32,092,820	$185,970,820
TOTAL EXPENDITURE FOR SUBSIDY		- 59,925,705
TOTAL ESTIMATED SAVINGS TO STATE		$126,045,115

III. KEY PROBLEMS AND ISSUES

In spite of the apparent successes with probation subsidy, a number of increasingly difficult problems and focal issues have developed.

1. A growing county disenchantment with the State over its failure to keep pace with rising costs is evident throughout the State. No change from the original payment table of 1966 has been made, although Section 1825 of the Welfare and Institutions Code provides that the Director of the Youth Authority, with approval by the Director of Finance, annually may adjust the dollar amounts to reflect changes in cost to the State of maintaining persons in its correctional institutions. On two occasions, in 1970 and again in 1971, legislation was introduced to increase the State's payment rate. The 1970 Bill failed passage, and, as of this writing, the 1971 Bill is pending.

2. Counties have only one year to use subsidy earnings. Actually, they can use earnings of the previous year while planning for the following year, but, under this arrangement, counties must operate with uncertainty since there is no guarantee that the current year earnings will, next year, support the developing programs. Therefore, a substantial amount (over three million dollars) in subsidy

earnings have gone unused since 1966 and have become lost to the counties.

3. The probation subsidy system, as it now exists, is inequitable in two notable ways: (1) the commitment rate in some counties was low during the base years; and (2) commitment rates fluctuate and are dependent many times on circumstances outside the control of the probation department. These circumstances include "lenient" or "harsh" judges, the trend in recent years toward more serious crimes of violence, and the voluminous increase in drug users, many of whom require incarceration for their own protection. Consequently, a sizeable number of counties are experiencing difficulties in either reducing commitments even further or in maintaining their program level from year to year.

4. Results of a questionnaire sent to the 46 participating counties by the Human Relations Agency Task Force on Probation Subsidy indicated that only 57% (25) of 44 respondents planned to carry out their 1970-71 probation subsidy programs at the level submitted to the Youth Authority. Thirty-nine percent (17) said they did not plan to do so (of these 17 counties, 14 said they were going to reduce the size of their programs), and 2 counties did not indicate a definite decision. Other results from the same questionnaire indicated that only 25% (11) would use county funds to partially or fully support their special service programs; 70% (31) said they would not use county funds.[6]

5. Possibly because of the time restriction on the use of earnings, there has been relatively small use of the funds for the development of services extending beyond special supervision. There has been little development of support programs, such as special group homes or services for the probationer which would assist in manipulation of his environment (employment, loans, etc.)

6. The most recent report on probation subsidy, completed in October, 1970, recommends a 14% increase in payments to counties based on the Consumer Price Index rise between 1966-67 and 1969-70. This amounts to $560 above the $4,000 per case reduction.[7] This Index takes into account only the value of the dollar. It does not relate to the cost of governmental services on any level. It also does not even reflect the decrease in the dollar value from 1963-64, the year on which the $4,000 California Youth Authority "career cost" was based (this would have shown a Price Index rise of 21.4%, equal to $856).[8] In any event, by using the Consumer Price Index, the issue of meeting the full increase in cost of operating subsidy programs in the counties is avoided. Also avoided are the related problems of increased burdens on county departments due to increasing numbers and types of referrals, plus the fluctuations in judicial decisions.

7. A large portion of the counties agreed that they could reduce commitments even further if they were able to:

a. Increase skills and capabilities in the diagnosis and classification of cases in order to develop successful treatment approaches.

b. Develop more useful and specific kinds of staff training to promote skills and abilities to work with clients.

c. Initiate or enlarge programs such as foster and group homes, residential facilities for wards, programs for female clients, and support services in the special programs.

d. Expand subsidy type programs to a larger portion of overall caseload.[9]

IV. SUMMARY

Since 1966, the State has committed itself to a probation subsidy program which today presents a paradox. On the one hand, the program has drastically reduced commitments to State institutions and has saved the State an estimated $126,000,000 over and above the cost of subsidy; it has also significantly bolstered local probation services, and has been used advantageously by 46 of the State's counties.

On the other hand, there has been no revision in the State's reimbursement rate to counties since 1966, despite the fact that the cost of providing local correctional services has steadily increased (conservative estimates made by some counties to Task Force staff were 30% to 40%). In addition, there is a strong feeling that the current plan imposes a hardship upon counties which had a low commitment rate prior to 1966; in effect, counties are "punished" for having done a good job before the subsidy program was implemented. Further, since the reimbursement is directly related to commitment rates, the earnings (or losses) are often determined by factors over which the probation department has little or no control. As a result, counties are often unable to maintain a developed program from year to year.

It is now unmistakably clear that a new approach must be taken, not only in respect to subvention for probation services, but for other segments of the local correctional continuum as well. It is therefore suggested that a series of priorities be established for subsidization of all local correctional efforts, and that such subsidies require conformity with any standard which may be established by the State, in cooperation with counties. The Task Force's recommended plan will be outlined in the final chapter.

FOOTNOTES

[1]Based on interviews with correctional administrators in Minnesota, Wisconsin and Illinois.

[2]Welfare and Institutions Code, Section 1820, Article 7, Legislative Intent, State of California.

[3]Department of Youth Authority, Rules, Regulations, and Standards of Performance for Special Supervision Programs, State of California (Sacramento, revised October 1969), p. 9.

[4]Department of Youth Authority, Probation Subsidy Evaluation Progress Report No. 1, State of California (Sacramento, December 1970), p. 7.

[5]Department of Youth Authority, State Aid for Probation Services, State of California (Sacramento, October 1970), pp. 11-12.

[6]Ibid., pp. 30-31.

[7]Ibid., Appendix L-1.

[8]Ibid.

[9]Ibid., pp. 33-34.

CHAPTER VI

PROGRAM HIGHLIGHTS

In counties around the State a number of programs worthy of special note were brought to the attention of the Task Force. A few will be reported here with the understanding that this is not an effort to be all-inclusive, but merely to present a sample of good and progressive programs, which may be worthy of consideration by other jurisdictions. An effort also has been made to select programs from various sections of the State, as well as from both populous and non-populous counties.

I. USE OF OFFENDERS AND EX-OFFENDERS

Humboldt County recently inaugurated a counseling program for selected juvenile probationers which was unique in that the counseling groups were led by Department of Corrections inmates from north coast conservation camps. Teams of two inmates conducted each of three groups in a series of six weekly sessions. The leaders used an approach of complete openness about their own histories, avoided telling the probationers how to live, refrained from "scare tactics", and attempted to establish a relationship of understanding with each group member.

Reaction of the juveniles was seen as positive by the Humboldt County Probation Department, and it was reported that the probationers seemed to relate well to the inmates in talking over their mutual experiences and problems in life. The response by the adult inmates was reported to be enthusiastic.

This program was possible because of an amendment to the Penal Code several years ago permitting honor camp inmates to participate in community betterment programs.

The Santa Clara County Juvenile Probation Department has established a program wherein offenders and ex-offenders serve as group leaders in psychodrama sessions. The Department, assisted by outside experts in psychodrama, has provided leadership training for selected offenders and ex-offenders. In turn, these youth have led ongoing psychodrama groups for juvenile probationers and also have provided workshop training for correctional professionals in Northern California.

II. WORK EXPERIENCE PROGRAM

The Probation Department in the County of Santa Cruz operates a program which provides work experience for selected emotionally and mentally handicapped juvenile offenders, and additionally gives them remedial academic training and intensive casework service. Unique in this program is the cooperative involvement of county government (probation department), the local school district, and a private agency (Goodwill Industries).

Wards are given a half-day of instruction and work experience by Goodwill Industries and a half-day of remedial classwork by school personnel. Special casework supervision is provided by probation officers. The program is reported to have effected substantial progress with the most difficult of cases.

III. CRISIS INTERVENTION

A concentrated weekend program has been established in Los Angeles County for male juveniles served by the Foothill District Probation Office. The Probation Department provides a structured weekend program held in an open, secluded camp setting where staff can provide an effective alternative to out of home placement for a young person facing a family crisis situation. The program is set up to provide an opportunity for the probation officer to intervene decisively in the life of a ward without serious disruption of that life pattern.

Weekend activities at the camp include group and individual therapy, including encounter groups led by probation officers and volunteer post-graduate students. Recreation and work also are included in the flexible program, which can be varied according to differential treatment needs. Parental approval is required before the court orders a boy into the program and parents must also indicate their willingness to participate in such treatment conferences or group therapy sessions as the probation officer might determine.

IV. DRUG ABUSE TREATMENT

A variety of drug abuse programs are to be found throughout the State. The "drug school" program in Alameda County is one which appears to be receiving positive response from the participants and the community. Juveniles, along with at least one parent, are referred to the "school" by their probation officers. The program consists of six weekly sessions lasting one to two hours each. Lectures are given and question and answer periods are led by attorneys, district attorneys, probation officers, and policemen. However, the core of the program is found in small discussion groups composed of young people and parents, with parents and their children always in different groups. Barriers to communication are broken in these groups and the youth learn to talk with adults and vice-versa. This is a first step in opening lines of communication and acceptance between parents and their children and in providing a basis for building a resistance to further drug abuse.

V. DIFFERENTIAL TREATMENT

The special supervision unit of the Yuba County Probation Department is illustrative of programs making good use of differential treatment techniques

in the supervision of adult and juvenile probationers. Caseloads, not exceeding 30 cases, are classified according to the I-level system. After each case is assigned to the unit a treatment plan is developed in accordance with the I-level classification and outlining specific treatment techniques, goals, and evaluation procedures. Differential treatment methods appropriate to each case are employed, e.g. group counseling is usually used with I_3 types. Staff is well trained in I-level and other specialized treatment techniques and maintains a high level of training activity. In addition to the direct treatment effected by the probation officer there are a number of supportive services which have been developed. These include tutorial services from Yuba College students and VISTA volunteers, foster homes, and group homes. New cases are evaluated at the end of the first two months and subsequently every three months.

VI. USE OF VOLUNTEERS

A number of probation departments are making extensive use of volunteers. Two of the most noteworthy are those in San Diego and Los Angeles Counties.

In less than two years, the San Diego County Probation Department has developed a highly skilled and active pool of volunteers to provide a wide range of services to adult and juvenile probationers.

The San Diego program, set up as a non-profit organization entitled Volunteers In Probation, has grown rapidly, obtaining in 1970 some 20,550 hours of service from 320 volunteers. Careful screening is made of volunteers and all must participate in an orientation training program. Once accepted, the volunteers are classed as unpaid county employees and are thus covered by workmen's compensation and liability insurance. One probation officer acts as a full-time coordinator and supervises a number of district advisors, each of whom supervises volunteer advisors who work with five to twenty volunteers. Regular meetings of volunteers are held with probation officers in attendance.

Most volunteers have a direct relationship with the probation clients to whom they are assigned and serve as supportive companions. Others tutor, give job counseling, teach homemaking skills, counsel alcoholics, visit children in institutions, lead group activities such as recreation, drama, and driving lessons, and perform many other activities.

Thus far, the volunteers are seen as providing many highly individualized services which the county could not otherwise afford. In addition, they are increasing public awareness about problems faced in the control of crime and delinquency. This program is entirely consistent with the "services manager" role of the probation officer outlined in a previous chapter.

The Volunteers In Service To Offenders (VISTO) Program operated by the Los Angeles County Probation Department began in March, 1968, as a pilot project in two of the Department's offices. Today it is an integral part

of the probation operation in 15 area offices. Originally funded by the Office of Economic Opportunity, the VISTO Program was funded by the State probation subsidy on January 1, 1969.

The range of services provided to clients by volunteers is extensive, although the main areas of focus are providing transportation, companionship, counseling, and tutoring. Volunteers work with both juvenile and adult clients. The overall VISTO Program is directed from the Department's central office, but each of the 15 area offices has a VISTO co-ordinator, who maintains extensive contact with the volunteers.

The volunteers are carefully screened prior to acceptance into the program; thereafter they are provided with orientation and training and are assigned to work with clients. The amount of time donated by volunteers varies, although one area office reports that the average amount of volunteer time is 13 hours per month.

Each area office is encouraged to develop its own type of volunteer program; this approach leads to innovation and, in some area offices, an expansion of volunteer roles beyond those identified above. For example, in one area office visited by study staff, the traditional volunteer functions were expanded to include such items as collection of materials for use by probationers and provision of individual casework services. This particular office extends considerable recognition to the volunteers, to the point of issuing "probation office identification cards" to volunteers, and awarding plaques at recognition banquets.

At present, Los Angeles County enjoys the volunteer services of several hundred persons, who, in turn, allow the Department to provide greatly enriched services to the clientele at little cost to the County.

As in San Diego County, the use of volunteers in Los Angeles County is viewed as a distinct asset, not only because of the direct services provided, but also because, through the volunteers, the communities are gaining first hand knowledge about correctional problems.

VII. CONTINUUM OF TREATMENT

One of the most notable illustrations of a treatment program which begins in the institution and continues into field supervision is operated by the Probation Department in Tulare County.

A rehabilitation center was established several years ago to serve youthful male offenders between the ages of 18 and 21. Following arrest and during the court process, youths who appear to be fit subjects for the program are often certified to the juvenile court which, if it makes a finding of fact, may commit them to the center. The program is housed in a road camp where the population averages about 25. Approximately 300 offenders are in the camp yearly, with lengths of commitment varying from one to eight months.

Program elements include work furlough for those who obtain employment in the community, and a public school program for those who can benefit from remedial education. Evening classes also are available at the camp. Testing and counseling is provided by the county mental health services; individual and group counseling is provided by the probation officer. The program is designed to be flexible enough to meet the individual needs of each youth committed. Upon completion of the program, the youths are continued on probation supervision in the community.

The program appears advantageous in two ways. First, it serves an age group that frequently gets little service. Second, it provides the beginning of a treatment program which continues after the youths are returned to the community.

VIII. USE OF PARA-PROFESSIONALS

Probation, like the fields of medicine and education, has, in several California counties, begun to make valuable use of para-professionals. Los Angeles County, for example, operates three "New Careers" programs. which serve both to increase the Probation Department's manpower resources and to improve understanding between the Department and its clients. The "New Careerists" work with probationers and at the same time serve the Department as cultural interpreters in understanding the needs of the poverty community.

In yet another program operated by the Los Angeles Department, the County makes valuable use of indigenous probation aides. These persons, residents of high crime areas, serve with regular probation officers as members of the overall treatment team. Such a team normally consists of a probation officer and two indigenous community workers, who supervise caseloads of 30 juveniles per team. The particular goal of this program, known as RODEO (Reduction of Delinquency Through Expansion of Opportunity), is to "open up" the community's opportunity structure to youth who are often precluded from such opportunities.

Along with the use of volunteers, the use of para-professionals represents one of the greatest potential assets for enriching probation services, at comparatively low cost to the county.

CHAPTER VII

PREVAILING ISSUES AND RECOMMENDATIONS

This final chapter contains a discussion of the key issues prevailing in probation supervision and the recommendations of the Task Force concerning those issues. The reader will find the basis for these recommendations in the chapters on the model and the current system. In fact, additional recommendations or implications for action may be stated or readily inferred by the reader's perusal of the principles and problems discussed in those chapters.

The issues addressed in this chapter are those believed most likely to have significant impact on the overall probation system. Some of these issues may have already been resolved by specific departments; however, they are presented because of their importance to the total system.

Two issues in particular, which are more fully discussed in the System Task Force Report, stand out: the need for redefined State and county roles in the field of corrections and the need for a more equitable and effective subsidy program. Briefly, the Correctional System Study contends that the primary responsibility for the delivery of correctional services should rest at the local level (normally the counties) whereas the primary enabling and supportive responsibility should lie with the State. Thus, it is argued that the State needs to play less and less of a role in directly handling clients but more and more of a role in providing the "means" to effectively protect society and rehabilitate/reintegrate offenders. This necessitates a wide range of assistance programs for probation supervision such as training, certification and standard setting, research, planning, and general consultation. It particularly must include an increased subsidization of those programs which meet State standards, the cost of which will largely, if not entirely, be offset by a further reduction in commitments to the State, as well as less recidivism at the local level. These two issues are so critical and so vital that, without them, there is no reason to believe that probation or other correctional services will offer any more effective services in the years ahead.

Appropriate recommendations for specific action are placed at the end of the discussion on each major issue. While it is not a formal recommendation of this Task Force, because it was outside the scope of the current study, the first suggestion actually is that an additional study be conducted in the immediate future on the entire pre-adjudication intake process. It is readily apparent that changes in the intake phase of criminal justice have implications which are at least as vital to corrections as the post-adjudicatory apparatus.

I. GOALS AND OBJECTIVES

Basic to many of the problems facing probation today, as it attempts to provide improved services to growing numbers of offenders, is the lack of articulated goals and objectives. In the absence of statements delineating

the direction in which probation is attempting to move, a notable degree of confusion, as seen in Chapter IV, has arisen among both staff and clients.

All departments, not having goals and objectives in writing, should immediately make an effort to formulate such a statement. In developing these formal goals and objectives, participation should be sought from staff at all levels and from probationers, with outside advisory assistance from judges, prosecutors, public defenders, law enforcement, juvenile justice commissions and interested citizens.

The mission of probation should be indicated as the reduction of further illegal behavior on the part of probationers; more detailed goals and objectives adopted should lead to this end. Because it is both compatible with and essential to this mission that offenders be effectively integrated or reintegrated into the community, any statement of goals should stress the importance of reintegrating offenders socially, economically, and culturally. Finally, stated objectives should be measurable so that progress toward accomplishing them can be evaluated.

Once formulated, the statement should not remain static but should be reviewed periodically and revised as needed. It is imperative that such a document remain alive and that it accurately state the goals and objectives the department will pursue. The need for a statement of goals and objectives was shown clearly in this study by the strong expression of desire on the part of many staff for a clarification of the direction they should be moving in and by the lack of understanding expressed on the part of clients, as well as staff, as to what it is that probation is attempting to accomplish.

Recommendation 1.

Written statements of goals and objectives should be formulated by each probation department in keeping with the mission of corrections (the reduction of further illegal behavior on the part of offenders), and should include an emphasis on reintegrating the offender into the community.

II. FUNCTIONS

Intake

Elimination of non-criminals from supervision. Although the intake function is not a part of this study, it is believed that certain cases do not belong under supervision of the probation officer and their removal would allow probation supervision to concentrate on its area of greatest competence, viz. working with those persons who have caused social harm.

Section 576.5 Welfare and Institutions Code provides that a board of supervisors may delegate to the welfare department the supervision of

dependent children and this has been done already in a number of counties. Many "pre-delinquent" minors coming to the attention of probation because of Section 601 W. & I. Code are now being diverted from the criminal justice system through referral to other agencies for service. More of this needs to be done. It is critical for probation departments to lend their weight to the demands for additional resources to serve this group and to participate in the development of such resources. However, until such alternative resources are available, probation must continue to supervise delinquent-prone youth needing the attention of the court.

It is possible that future changes in the law will repeal Section 601 W. & I. Code; if so, it will be necessary to use Section 600 W. & I. Code whenever court action is needed for such cases. Changes in the law may also make it necessary to preclude persons being placed under formal supervision merely for the purpose of collecting money from them. Legal or administrative changes should provide for such collections to be done by another agency of the county or by agreement with a private agency. Similarly, probable law changes will remove those persons now entering the justice system solely because of their excessive use of alcohol and will provide for them to be handled as public health cases.

Recommendation 2. As quickly as adequate alternative community resources can be developed, probation departments no longer should supervise dependent children and those called "pre-delinquent" (Sections 600 and 601 of the Welfare and Institutions Code, respectively). Departments should not supervise persons placed on probation merely for the purpose of collecting money nor supervise those persons whose sole offense is public drunkenness.

Removal of prohibitions against probation. It is the contention of this Report that probation's greatest competence is the supervision of offenders in the community. Therefore, no restrictions should limit the courts in granting probation to those who are appropriate candidates for field supervision. In particular, the granting of probation should not be prohibited because of some prior offense for which the defendant has "paid his penalty". Such restrictions mock attempts to speak of an ex-offender as having paid his debt to society upon the completion of his term. The problem inherent in all legislation restricting probation is the inability to take cognizance of every possible extenuating circumstance around an offense. The President's Commission on Law Enforcement and Administration of Justice notes that the key to providing differential treatment for probationers lies with the judge's ability to base his decision on a review of all pertinent data about the offender and the types of programs available for him. The report goes on to say that, "Inflexible restrictions based on narrow criteria defeat the goals of differential treatment by restricting the options from which a judge may choose."[1] Even a cursory study of probation grants makes it apparent that decision-making varies widely from court to court. Hence, even if restrictions on granting probation are removed, there is still a need for judicial guide-lines and standards for decision-making.

Recommendation 3. Section 1203 of the Penal Code should be amended to remove restrictions on granting probation because of an offender's prior convictions, and to reduce other restrictions on granting probation.

Keeping conditions of probation relevant. The reduction to a minimum in the number of standard conditions of probation can be accomplished by limiting conditions to: (1) a prohibition of any law violations; (2) requirements for maintaining contact with the officer in the way prescribed by the officer; and (3) keeping the officer informed of residence or whereabouts. Imposition of special conditions should be restricted to factors relevant to the individual offender. In all cases, the conditions imposed should be capable of being enforced, but considerable discretion in their enforcement should be given to the probation officer.

Probationers verified the value of having conditions of probation imposed, but it was also clear in data collected during the study that conditions which are capricious in nature, unenforceable, or just ignored by the officers tend to breed disrespect and contempt for the justice system on the part of the clients.

Recommendation 4. Standard conditions of probation should be at a minimum and should be relevant to each individual client in terms of his needs, abilities, personality, offense, and the protection of society. Conditions imposed should be realistic and therefore enforceable by probation officers. Although special conditions may be appropriate in individual cases, standard conditions should be limited to (1) a prohibition of any law violations; (2) requirements for maintaining contact with the officer in the way prescribed by the officer; and (3) keeping the officer informed of residence or whereabouts.

Reports and Recommendations

In order to have the best professional recommendations, it is incumbent upon probation department heads to obtain the most competent line workers and supervisors possible and to keep them well trained and free from undue outside influences. The Task Force found some indications that recommendations were being influenced by courts and by other sources outside the departments. This is totally inappropriate as pressuring workers to "slant" their reports can become highly threatening to professional integrity. In such situations, it may be necessary to clarify the role of probation, i.e. the objective presentation of information, discussing factors on all sides of a case, and the offering of objective recommendations based on sound professional judgment.

Recommendation 5. Recommendations to courts by officers and their supervisors on supervision cases should be based on an evaluation of all pertinent data and should be made without influence from "special interest" or other sources outside the department.

Classification

Study results showed that, with a few noteworthy exceptions, probation supervision programs exhibit little sophisticated development or use of classification systems which are relevant to treatment. Classification employed as a management tool unrelated to treatment (e.g. "minimum" or "maximum" supervision) is concerned with production and efficiency and often focuses on quantity control. Classification related to treatment is concerned with effectively protecting society and rehabilitating the individual offender and focuses on quality control. A system of classification with specific treatment implications is necessary in order both to manage workloads in an efficient manner and to apply the most appropriate intervention strategy to each case in relation to the needs of both society and the individual offender.

As stressed in Chapter IV, classification and treatment must be linked together in a manner that offers differential approaches to working with the offender population. All offenders do not need "treatment" in the therapeutic sense (in fact, there is reason to believe that "over-treatment" is harmful to some individuals[2]). However, probation staff should plan and implement specific differential strategies which provide a course of correctional action for all clients.

Because of the complexity of developing sophisticated classification systems, relevant to differential treatment, and because of the need to train staff in the use of such systems, the State needs to play an active role in helping the counties achieve these objectives.

Recommendation 6. Each department should make use of a classification system, with specific differential treatment implications. To the degree necessary, the State should assist the counties in accomplishing this.

Treatment

Care and concern for probationers. Data gathered in the study show that the clients having the most positive attitudes about probation are those whose officers exhibit a personal concern for them. The existence of this concern was shown by 45% of the clients who indicated in the Task Force questionnaire that their officers had a great deal of concern for them. Although not appropriate with all cases, this kind of a relationship can have a positive impact on a significant number; however, in order to determine which cases to work with in this manner, a classification system is required. Also, it is necessary for probation managers to provide the time, transportation, and flexibility of hours, as well as the encouragement and incentive for officers to work closely with the clients they supervise.

Recommendation 7. Probation supervisors and administrators should provide a working environment which will encourage staff to develop caring relationships with probationers under their supervision.

Client participation in planning his own program. Participation on the part of the client in the planning of his program should begin at the first contact with the probation officer. Although some probationers will reject the request to participate, many will welcome the opportunity. In order to elicit participation, the officer will need to clarify his own role and that of the client in an atmosphere of open and honest communication. The value in this approach lies in developing objectives which will meet the needs of both the client and society and which can be expected to gain the maximum amount of cooperation from the probationer.

Recommendation 8. Clients should be involved in the planning of their probation programs, beginning at the earliest possible time and continuing on through the term of probation.

The probation officer as "services manager". As discussed in Chapter IV, one of the major goals of probation is the reintegration of the offender into the community. Since this process may involve training and education, employment, health and welfare services, legal services, housing, and so on, it is quite clear that the individual probation officer must develop the capability to obtain these services whenever they are needed. Such action on the part of the probation officer places him in the role of a services manager. It is likely that the time expended in this role will bring greater return in meeting the needs of probationers than any other approach used. Evidence gathered by the Probation Task Force indicated that a substantial number of clients felt the need of support and assistance in these areas which would lead to their reintegration rather than in those areas of counseling or therapy related to their personal adjustment.

Recommendation 9. Probation departments should begin expanding the roles and capabilities of their staffs as "services managers".

Supervision with offenders' families. The importance of providing supervision to family units is supported by data gathered in the study which indicate the large amount of influence family members have on probationers, either positively or negatively. This is corroborated by virtually all the social-psychological literature on child-raising and family impact. In order to assist the integration of clients in the community, the probation officer needs to strengthen familial ties by working with family members whose problems affect the clients and whose strengths can be developed to assist them.

Recommendation 10. Whenever appropriate, probation supervision should be involved with offenders' family units, not just with offenders alone, in order to further the reintegration process.

Termination of supervision after two years. Supervision, when performed in a perfunctory manner for large numbers of clients over a period of several years or more, inhibits staff from concentrating their efforts during the two year period of greatest probation risk.

In a study of adult probation violators, Davis found that two-thirds of the probation revocations took place within two years of the time probation was granted and that the six-month period in which the greatest number of revocations occurred was between 7 to 12 months.[3] Thus, in relation to concentrating probation efforts to reduce further illegal behavior on the part of the probationer, it is believed that administrative policies monitoring the length of probation should be instituted.

As a general rule, it is advantageous to move a client through the correctional system as quickly as possible since the tendency is to retain an offender in the system once he enters. As a number of authorities have pointed out,[4] corrections tends to perpetuate itself and sometimes adds to the deviant attitudes and behavior of its clients. This tendency could be minimized by providing a maximum time at which clients automatically would be considered for termination of probation unless compelling reasons cause the court to extend the period of supervision. As an example, the Parole Task Force Report indicates that Section 2943 of the Penal Code requires consideration of discharge for adult parolees who have been on parole continuously for two years.

Recommendation 11. Probation departments should adopt an administrative policy requiring the return of supervision cases to the court with a recommendation for termination of nonvoluntary supervision at a time not exceeding two years, unless there is evidence that the protection of the community will be substantially decreased by so doing. If there are compelling reasons for the continuance of supervision, these reasons should be brought to the attention of the court at a hearing in the presence of the probationer and his counsel.

III. RESOURCES

The Need for Community Resources

Mental health diagnostic and treatment programs. Many communities are almost totally lacking in mental health services; most others have insufficient services to meet the needs. Only the largest probation departments have their own mental health facilities, and even these are rather limited. The State has provided diagnostic services in its reception centers for some years, but the need which remains unmet is for mental health treatment services for probationers. This is an area in which the State must move in order to attain the model system which calls on the State to provide expanded consultative services and subsidization, and on the counties to increase services provided directly to the offender. On the other hand,

local probation departments need to become more resourceful in developing or contracting for available local services and resources.

Recommendation 12. Probation departments, assisted as necessary by the State, should make available greatly expanded mental health services for probationers.

Group living facilities for offenders. A recurring need seen by probation officers everywhere is for additional placement resources for both juvenile and adult cases. Needed are foster homes, group homes of various types, hostels for homeless offenders, residential treatment facilities, emergency placement situations and others. Over 20% of the probationers indicated their support for such resources by stating in the questionnaire that placement in a halfway house or group home would be helpful if they were in need of a place to live. In order to increase the availability of placement resources in the community, probation departments need increased subsidy assistance from the State.

Recommendation 13. Probation departments, assisted as necessary by the State, should make available adequate placement resources in the community.

Drug abuse programs. The skyrocketing drug arrests over the past few years, including the appearance of large numbers of middle class drug offenders, and the corresponding increase of such persons in probation caseloads has forced many officers to seek new sources of assistance. Throughout the State, probation officers made clear their desire for help in working with drug abusers under their supervision; many officers indicating that they felt inadequate to cope with such offenders. Although Perry Birchard reports in her statewide survey that about 900 private and public programs for drug abuse exist in California,[5] they are not being used by many probationers. In those areas where probation departments have inadequate resources to serve these offenders, the State should subsidize such staff training and special programs as are needed to meet the problem.

Recommendation 14. Probation departments, assisted as necessary by the State, should develop and make use of existing drug abuse programs to meet vastly increased needs for such resources.

Emergency financial assistance. The concerns of many probationers are related to such basic needs as food, shelter, clothing, transportation, and jobs. These items are seen as paramount in the lives of a number of clients, but few departments allot funds for such assistance. Probation departments should make budgetary provision for such aid and the State should make subsidy available to the counties to aid them in giving such service.

Recommendation 15. Probation departments, assisted as necessary by the State, should provide emergency financial aid to clients in need as a regular part of departmental programs.

Public information programs. The Joint Commission on Correctional Manpower and Training summarized a 1967 national Harris Poll survey on corrections by concluding that:

> "...the public feels the corrections system is currently inadequate. At the same time, the public is not eager to help bring about change if it means more money would have to be spent."[6]

California's probation officers were well aware of this situation. Over 85% of supervision staff indicated on the questionnaire that they felt the public had little or no understanding of corrections; 59% estimated public support of corrections to be little or none at all.

The need for a vastly increased program of public information and education is obvious. The Youth Authority's Standards for the Performance of Probation Duties highlights this as one of the key obligations of probation departments:

> "Development of an effective public interpretation program is a responsibility of the probation officer. Frequent reports setting forth the aims, methods, and accomplishments of probation will help in attaining public understanding as well as adequate support for probation services of high quality."[7]

In brief, if probation departments wish to engender greater public support, they must first make themselves visible and, secondly, involve the community in their actual operation. In order to promote an effective and widespread program of public education about probation supervision (and corrections in general), it is also crucial that both the counties and the State increase and coordinate their efforts.

Recommendation 16. Probation departments should develop public information programs that will assist in both enlightening the community and involving it in the role probation supervision plays in the justice system. The State should provide consultation services to assist the counties in developing such programs.

Training

Inadequate training has been a recurrent criticism of probation throughout its history. The 1964 Probation Study identified training as one of the major needs of probation and summarized the key problem in this area as follows:

> "Few departments have effective continuous staff development programs. As a result, working personnel cannot keep abreast of the latest developments in the field, even assuming they had time for staff development--which they do not. As a result, probation staff often have limited knowledge about treatment, their own capability for treatment, or the treatment resources of the community in which they work. Also, they often have erroneous conceptions about the services that State institutions can provide.
>
> "Staff development programs for first-line supervisors and middle management personnel are inadequate, and in most departments non-existent. Most supervisors move into their positions from treatment assignments. They have no preparation for supervision and learn by doing. Often what they learn is wrong, and what they do fails to make the most effective use of the available manpower. In turn, supervisors are promoted to middle management positions without training and without preparation. The mistakes that they were able to make as supervisors are now compounded by the new position of authority and responsibility they command."[8]

With one major exception--probation subsidy, there has been little change in this situation. Yet, even in subsidized programs, only 57% of line workers indicated that there was an ongoing in-service training program for employees of their level. Hence, the problems of adequate training for all levels of staff, from meaningful orientation of new employees to instruction in modern managerial techniques for supervisors and administrators, still persist in most probation programs.

The solutions are not simple. However, they would appear to lie in being able to develop four general types of programs: in-service training, specialized training, coordination of statewide training resources, and a certification program. The major point is that it is now the time to act rather than to merely restudy the same issues.

In-service training. As pointed out in Training for Tomorrow, a 1970 study of training in California corrections, larger departments are "becoming deeply committed to training their probationary and journeymen employees within their own 'shop'".[9] This is viewed as a progressive stance since the individual agency is in the best position to assess both the training needs and training resources appropriate to its own staff. To be consistent with the increasing movement of direct services to the local level, it is imperative that both the individual counties and the State, in its enabling and supportive role, channel their resources in a manner that will maximize the planning and implementation of effective in-service programs at the county level. Needless to say, this necessitates a wide range of training programs and efforts directed at providing relevant, individualized, and ongoing training for as many workers as possible. In this regard, it is

obviously highly appropriate to either develop joint programs with neighboring counties or to bring outside trainers into the department; at least the latter is done routinely by a number of departments. However, while outside trainers are a valuable added resource, it needs to be stressed that each department should assign training specialists and should clearly place the primary responsibility for training on the immediate supervisor, notably first-line supervisors. As Training for Tomorrow stresses:

> "It is the exclusive function of the line supervisor to stimulate and oversee the process of conversion of information into skilled practice."[10]

The major implication here is that supervisors must receive very high training priority so that they may most effectively carry out their role of training subordinates.

Recommendation 17. Each probation department should develop its own in-service training programs, aided as necessary by the State, geared to provide relevant, individualized, and ongoing training for all levels of staff. Primary attention should be given to developing trainers within the department, particularly first line supervisors.

Specialized training. Every probation department has training needs which it cannot adequately handle itself. Some of the smaller departments may need outside trainers, such as State personnel, to conduct virtually all of their basic training. All departments need to make use of training resources available in the community, whether academic or experiential. A glaring example of lack of agency commitment in this area is the rarity with which they provide active assistance, such as stipends or time off, to encourage staff to pursue graduate training or other relevant programs of professional development. In fact, some agencies penalize staff who attempt to make use of such resources, e.g. by refusing academic leave or by demoting staff if they take academic leave.

Probation departments particularly need to make use of external trainers for specialized programs, such as training and managerial techniques or complex classification and treatment systems. This can, and is, being done by contractual arrangements in a number of departments. As suggested by the President's Commission on Law Enforcement and Administration of Justice[11] and the Joint Commission on Correctional Manpower and Training,[12] this is where the State should carry out its enabling role. The Youth Authority has traditionally conducted some training programs for probation personnel but is grossly understaffed and under-budgeted to meet more than a fraction of the need. Additionally, the State needs to develop or contract for trainers who are expert in specialized training areas before it can provide the range of training programs required by the counties.

Recommendation 18. Probation departments should strive to make better use of available training and professional development programs in the community,

e.g. by contracting for services and by encouraging and enabling their staff to participate in such programs.

Recommendation 19. The State should greatly increase its role in providing training needed by the counties, particularly specialized training programs.

Coordination of statewide training resources. The central concern about correctional training focused on in Training for Tomorrow is the lack of efficient coordination of training resources in California's "diverse, far-flung, and complex correctional conglomerate".[13] Particularly since these resources are at a premium, coordination and integration are essential. The final recommendation of the above report was for a centralized unit known as CO-ACT (Coordinating Organization for Advancing Correctional Training) at the State level, whose task would be to develop a network of trainers and training resources from various parts of the correctional system who would form a partnership of mutual aid in promoting statewide training. The Probation Task Force strongly endorses the central core of the CO-ACT concept and suggests that, unless it is implemented in some form, California will continue to duplicate, waste, and simply be unaware of existing training resources and efforts.

Recommendation 20. The State should immediately implement the CO-ACT concept of a central unit to coordinate statewide training and develop a network of trainers and training resources from all appropriate sources.

Certification. The Probation Task Force joins with the 1964 Probation Study in urging that the State "assume the major responsibility and cost for training and certification of personnel working in probation".[14] Widespread support exists for the establishment by the State of a program to certify deputy probation officers who meet prescribed standards. Advocates of this proposal argue that it would raise minimum entry standards at least in some counties, assure departments of minimum qualifications of staff who have been certified (e.g. in transferring between agencies), result in higher and more uniform quality of performance by staff, provide the basis for certain changes in personnel practice highly desired by staff (notably, being able to transfer between agencies without loss of rank or benefits), and aid in moving toward the recognition and professionalization of probation work.

The first step in implementing a certification procedure is to determine who should control it and what should be the standards or requirements. The Task Force proposes that the State operate and control the procedure, with advice from the counties (perhaps in the form of an advisory commission). Similarly, the State, in cooperation with the counties, should decide on the requirements. It is suggested that the normal minimum academic requirements be a bachelor's degree, preferably in the behavioral sciences, and the completion of at least one year "internship" of on-the-job experience and training

during which time the candidate must satisfy his superiors that he has the ability to relate to and effect behavioral changes in probationers. Provisional certification for persons not meeting the academic standard might be granted if such persons otherwise demonstrate special competence or if certificated staff are unavailable.

Recommendation 21. The State, in cooperation with the counties, should develop a certification program for all probation officers.

Staff Hiring and Promotions

The two major personnel concerns which stand out boldly are related to the establishment of an advanced caseworker position and the ability to transfer between correctional agencies.

Less than half of all probation officers were satisfied with the promotional system in their agency. Ninety-one percent favored the creation of "a separate series of rank and pay increases, parallel to at least the first line supervisor level, for line workers (e.g. so an outstanding worker can remain in his job without having to become an administrator to be promoted)". The benefits of such a system are two-fold. On the one hand, it would permit highly competent workers, who have developed their skills through several years of experience and training, to remain in the vital job of working directly with clients and still receive the status and salary they deserve. The creation of such positions would also tend to boost staff morale and retain workers who perceive themselves basically as "caseworkers". On the other hand, it would assist departments by not forcing them to place persons who may be good caseworkers but poor administrators in supervisory positions where they may resemble "fish out of water".

The second concern is more complex. It is a common observation that a person can normally enter the field of probation at two levels--the very bottom or the very top. Individuals who meet all the relevant requirements and who may be equally or far more qualified than persons within a specific department cannot normally compete for advanced line worker or supervisory positions in an agency of which they are not already employees. In short, probation is a "closed" system. Task Force staff strongly supports the overwhelming view of correctional practitioners and administrators throughout the State that this situation is unnecessarily restrictive and poses severe handicaps not only to individual workers but to probation as a whole.

From the individual employee's point of view, the current closed system is personally and professionally stifling, particularly for the more competent workers. An "open" system, allowing workers to transfer to and compete for promotional openings in other agencies, not only would permit greater flexibility but would provide employees with enriched experience in their career patterns. Such is the case with education, medicine, and many other professions. If an experienced worker wishes to move to another part of the State or to gain experience in another agency, particularly on a promotional basis, he should be able to do so. Such a system not only would

improve morale and minimize the loss of competent staff, but also would offer stronger career incentives for potential correctional employees.

From the system's point of view, a closed promotional structure which is limited solely to departmental employees and which places more value on "departmental loyalty" and seniority than on other qualifications, tends to breed a limited base of experience and ideas commonly known as "correctional provincialism". Removing these barriers would enable each department to hire the most competent persons available, to retain many top caliber personnel seeking promotional opportunities outside of corrections, and to profit from a cross-fertilization of ideas from staff who have worked in different agencies and areas of the State.

The system should be open not only to current probation officers but also to correctional workers at the county, State, or Federal level, in addition to qualified persons employed in the private sector.

The certification program, recommended in the previous section, should provide a sound base for hiring and promotional opportunities in corrections by assuring employers that a prospective candidate has at least met certain minimal standards.

Finally, for such a program to work effectively, it is necessary to coordinate retirement earnings and other similar benefits, so that an employee does not lose them when he transfers from one agency to another.

Recommendation 22. Probation departments should create a case-carrying position equivalant to the first level supervisor in salary and other benefits.

23. Certified probation officers should be able to transfer to in-grade positions or compete for promotional opportunities in other probation departments or other similar parts of the correctional system, provided they meet the necessary requirements.

24. The State and counties should coordinate their retirement systems so that a worker can combine his benefits when transferring between agencies.

Use of Nonprofessionals

Probation departments must carefully study ways in which nonprofessionals, notably volunteers and para-professionals, can be used, and should call on the State for consultation service in this matter. Such programs as are developed must be adequately staffed in order to provide for proper recruitment, training, and supervision. It is important to note that evidence presented to the Task Force indicated that most programs that fail do so because of recruiting which is nonselective, training which is incomplete, and supervision which is inadequate. It is also extremely important to make nonprofessionals feel that they are part of a team, i.e. that they have an

important job to fulfill and that they are accepted by and work along with the professional staff. The motivation to use nonprofessionals arises out of the necessity to provide expanded services to clients and the need to involve the community in the correctional process through the use of volunteers. Also, local government has a responsibility to give employment opportunities to persons in the community such as ex-offenders and residents of economically depressed areas who qualify as para-professional workers. It is abundantly clear that nonprofessionals will play an increasingly important role in the future of probation supervision. In fact, as indicated in Chapter IV, some authorities contend that the role of probation officers may well change in the near future from one of delivering most services directly to clients to one of managing or overseeing the delivery of services by a staff of nonprofessionals. In any event, probation administrators and staff should begin planning seriously for the more efficient and effective use of this largely untapped correctional resource.

Recommendation 25. Departments should greatly expand their use of nonprofessional workers, including volunteers, para-professionals, ex-offenders, and students, to assist in probation supervision. They should, at the same time, plan carefully how to recruit, train, and supervise these workers.

Appointment of the Chief Probation Officer

In nearly all counties, the chief probation officer is appointed by the juvenile court judge or a majority of the superior court judges. This is consistent with the traditional view of probation as an "arm of the court" and with the fact that probationers are still under the jurisdiction of the court. However, as probation departments have increased their professionalism and special expertise in planning and carrying out correctional strategies for offenders, more and more support has arisen for making them an independent agency in local government, as the police, prosecutor, and public defender. The basic reasons for this are two-fold.

On the one hand, the probation officer's expertise or area of most competence is in objective evaluation of offenders and in implementing programs of rehabilitation and reintegration. Yet, there have been instances of the courts exercising undue pressure on "their" probation departments, sometimes to such a degree that probation officers have been handicapped in making truly independent and objective decisions about the operations of their departments. This is seen most notably in the area of what program is most appropriate for individual offenders. In fact, there have been, and in the opinion of the Probation Task Force, still are, instances in which judges are the de facto administrators of the probation department. Similarly and far more commonly, courts intentionally or unintentionally influence the reports and recommendations submitted by the probation officer. The responsibility for this does not lie with the courts alone as some probation officers deliberately "color" or "slant" their reports, e.g. by selective reporting, in order to manipulate the judge to make a desired decision. However, the net effect is that where courts dominate probation departments, the latter are kept from obtaining full professional stature and tend to be hidden behind the skirts of the court.

On the other hand, the court's training and acknowledged expertise are clearly in the legal arenas of protecting individual rights and determining guilt or innocence. Judges rarely have received much training in the areas of modifying criminal or delinquent behavior or in correctional management. As a result, they must make highly complex decisions which weigh the protection of the community against concerns with rehabilitation and reintegration--decisions for which they simply have not been trained. Hence, no matter how sincere and well-intentioned, they are forced to decide on the life and freedom of individuals with little relevant background and training.

At the core of this issue is the question of whether or not the courts should be involved at all in correctional decision-making. The fact of the matter is that there is a rapidly growing opinion among correctional workers and many others within the correctional and criminal justice process that, once a person is found guilty, he should be turned over to a correctional body or agency to determine what program would be most appropriate for him. However, because this issue is clearly outside the scope of the present study, no formal position is taken by the Probation Task Force. Needless to say, it is a concern that should be addressed by the needed study of intake recommended by the Correctional System Study staff.

A final problem with the present law is that over 50% of all probationers are adults, yet probation officers are normally appointed by and serve at the pleasure of the juvenile court judge.

To return to the issue at hand, the most logical body to appoint the chief probation officer is the county board of supervisors. It is the supervisors who determine budget and set many personnel and other policies for the county departments. It is also the supervisors who normally appoint non-elected county officials.

Recommendation 26. The chief probation officer should be appointed by and be responsible to the board of supervisors; Sections 575 and 576 of the Welfare and Institutions Code and Section 1203.6 of the Penal Code should be amended accordingly.

Subsidy

Chapter V presented the inherent and operational problems of the current probation subsidy program. While this program was a monumental step forward in California corrections, the Probation Task Force feels that its handicaps and inequities, which have now become apparent, demand a bold new move on the part of the State.

In brief, the State of California today is unmistakably at a crucial crossroad in respect to probation subsidy. The State can continue the program as it is presently structured. If taken, this course of action will result in the increasing disenchantment of county probation departments and may be followed by the counties' gradual withdrawal from the program. If

the State elects this course of action, it must stand prepared to witness a fatal deterioration of probation services, and concomitantly, an overwhelming increase in commitments to State institutions, and the need to spend vast sums of monies to build and operate new State facilities.

The other option available to the State, and, in the opinion of this study, the far superior alternative, is to recognize the value of probation services, to acknowledge the savings which accrue to the State as a result of probation subsidy, and to enact an entirely new probation subsidy program. As part of the new probation subsidy effort, there should be effective, mandatory standards, worked out in cooperation with the counties, and thereafter administered by the State. The new subsidy program should be reviewed annually, to consider cost fluctuations, and the State should provide increased consultation in respect to the planning, operation, and evaluation of subsidized programs.

Since it is the view of this study that the best, most effective correctional services are field services, provided at the local level, and since probation, more than any other component of corrections, can and does provide this type of service, it is felt that probation should have the highest priority in any new overall correctional subsidy program. A more complete statement of the philosophy, priorities, and operational details of the entire subsidy plan recommended by the Correctional System Study may be found in the System Task Force Report.

Recommendations 27. The State of California should subsidize county-operated probation services in accord with the overall subsidy program specified in the System Task Force Report. Essentially, that Report recommends subsidy as follows:

a. 75/25 -- probation supervision and investigation, including day care centers and other juvenile non-residential programs. This means that the State would pay 75% of the actual costs and the counties 25%.

b. 60/40 -- "open" institutions (e.g. group homes or facilities which send youth to school in the community; also jail work furlough programs).

c. 40/60 -- "closed" but short-term and community-based institutions (i.e. facilities to which persons can not be committed more than six months and which are both adjacent to and have a high degree of interaction with the community).

d. 25/75 -- other institutions (e.g. juvenile institutions which are not short-term and not community-based; adult jails, including branch jails and honor camps, minus separate work furlough facilities).

28. Assuming that the above recommendation is operationalized, counties should pay the State 75% of the "career costs" (as defined in the System Task Report) for any youths or adults committed to the State.

29. The probation subsidy program, as part of the overall correctional subsidy program, should be reviewed annually, to consider cost fluctuations and to effect necessary adjustments.

30. The State should provide increased consultation to the counties in respect to county-operated probation subsidy programs.

31. The State, in cooperation with the counties, should develop a set of minimal standards for all probation services that are subsidized. Thereafter, the State should enforce the standards, i.e. no subsidy should be granted to a program which does not meet State standards.

IV. RESEARCH AND EVALUATION

Departments must allot sufficient resources for research and evaluation. The amount of time and money needs to be expanded greatly beyond the small part of one percent of total correctional expenditures reportedly being spent now for research and evaluation.[15] State assistance, consultation and funding should be available to assist counties in this effort, but counties also need to enlist the aid of universities, colleges and private organizations to do research and program evaluation. However, none of this is likely to occur until correctional agencies begin to become truly concerned about and committed to evaluating what they are doing; only then will research become more than a novelty.

One area critically in need of evaluation is the complete field of decision-making. A large number of decisions made outside the court are subject to few of the procedures and constraints present at the time of court action. Some of the factors needing an evaluation of their decision-components are violations of probation and accompanying detention, change of placement, and recommendations for termination of probation.

It is imperative that new approaches to reducing crime on the part of offenders on probation continue to be tried, but new approaches, as well as current programs, need evaluation. However, this can occur only if probation managers first determine their objectives in measurable terms and then commit themselves to objective evaluation. Even then, such efforts become no more than routine "busywork" unless departments are committed to following through on the results of research by modifying or eliminating programs when so indicated.

Recommendation 32.

Probation departments, assisted as necessary by the State, should conduct programs in research and evaluation designed to improve the quality of probation operations.

V. ISSUES OF THE FUTURE

Contracts Between the State and Counties for Supervision of Offenders

Interviews with officials in the sample counties revealed support in some communities, principally smaller ones, for probation supervision operated by the State under contracts with the counties. Interviews conducted by the Task Force showed 24% of the chief probation officers and 13% of other county officials (presiding judges, chairmen of boards of supervisors and chief administrative officers) favorable to such an arrangement.

On the other hand, there was fairly strong support for the counties to provide parole supervision for the State on a contractual basis. Fifty-nine percent of the chief probation officers and 76% of other county officials favored this kind of a permissive agreement. It is believed such contracts should be permitted where they will best serve local correctional needs.

Recommendation 33. Departments should be able to contract with the State to provide probation supervision as well as accept contracts from the State to provide parole services. Permissive legislation which would enable the State and counties to enter into such contracts should be enacted.

Contracts Between Counties for Supervision

There is considerable precedent for contracts among California counties. For some years, counties have contracted with each other for the provision of such specific services as the operation of a juvenile institution to serve more than one county or for detention facilities for juveniles from more than one county. In the adult field, as indicated in the Jail Task Force Report, counties have arranged with each other to provide jail services and some counties have contracts with cities to provide police services. Additionally, counties have an informal "courtesy supervision" arrangement with one another for probation services. However, some counties do not do this or, if they do, provide only minimal services because they are not reimbursed for costs. This might be remedied to the satisfaction of individual departments and in a manner which provides the best services to the client and protection to the community by establishing formal contractual arrangements, as exist between some institutions.

Recommendation 34. Where better services can be provided at lower cost, counties should consider contractual agreements with neighbor departments (or possibly consider consolidation of services) for probation supervision. Enabling legislation should be enacted to provide for such agreements.

The New Clients: Environmental Pollution and Consumer Fraud Violators

In the past year, a number of corporations have been placed on probation supervision in one county because of pollution violations. Special conditions of probation have been ordered by the court which require corrective anti-pollution measures to be taken. Among the issues raised by this action is the need for technical consultation services to help the probation officer see that the corporations comply with the conditions ordered by the court.

This program is looked on favorably by the criminal justice system of the community where it is in operation, and in view of the growing public demand nationally for more environmentally protective controls, a distinct possibility exists that such a supervision program could be adopted elsewhere.

Because of the rapidly expanding public concern for protection of the consumer, much new legislation has resulted. It is very possible that this combination of public concern and legislative activity will result in an influx of violators whom the courts will deem in need of supervision.

Probation managers need to be aware of these trends and should plan accordingly to meet the technical requirements of supervising such offenders.

Recommendation 35. Departments should engage in long range planning about the implications of supervising large numbers of environmental pollution violators and consumer fraud violators, both individuals and corporations.

FOOTNOTES

[1]President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections (Washington: U.S. Government Printing Office, 1967), p. 34.

[2]Don Gibbons, Delinquent Behavior (Englewood Cliffs: Prentice-Hall, 1970), pp. 255-256.

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CALIFORNIA CORRECTIONAL SYSTEM STUDY

PAROLE TASK FORCE REPORT

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Juvenile Parole

1. *The Youth Authority administration should totally commit itself and maintain its commitment to a participatory style of management.*

   In the event that consolidation occurs between the Youth Authority and Department of Corrections, it is imperative that this style of management be put into operation from the very start of the new Department of Correctional Services, in line with the new nature of the State correctional apparatus recommended by the System Task Force.

2. *The Youth Authority should strengthen its ongoing development and use of classification systems, with particular emphasis on integrating such efforts between institutions and parole.*

3. *First line supervisors should be carefully selected on the basis of ability to maximize effectiveness of line workers under them and should be retained in such positions only as long as they are doing this. They should be delegated increasing authority and responsibility, should be involved more in decision-making crucial to the agency, and should receive greatly increased training in effective managerial techniques.*

4. *The Youth Authority should make every possible effort to revive and expand its para-professional program. Similarly, it should recruit and involve volunteers to a much greater extent.*

5. *The State should amend section 1029 of the Penal Code and any other laws or policies that prohibit the hiring and permanent appointment of ex-felons as peace officers provided they have shown evidence of being rehabilitated and have successfully completed a probationary period of employment.*

6. *The Youth Authority and the State personnel board should engage in an ongoing re-evaluation of personnel policies and procedures, especially those related to hiring and promotion, with participation in such evaluation by all levels of staff.*

7. *The State should hold "open" examinations, i.e., not restricted to current State employees, for every civil service position. Similarly, the State should participate with the counties in developing a personnel system that would allow the transfer or promotion of employees between various correctional agencies, without loss of benefits, provided they meet the necessary requirements.*

8. *The State should create the equivalent of a Parole Agent III position that would involve direct supervision of clients (i.e., carrying a caseload).*

9. *The State should develop a training network of State and county trainers and training resources, similar to the CO-ACT Model, to provide or coordinate necessary training for all parole (and other correctional) staff.*

10. *The standard for parole caseloads should be reduced to at least that set for probation subsidy caseloads (i.e., substantially below 50 cases).*

11. *Administration should continue strong efforts to inform staff of the future direction of the agency together with the full implications for staff, to involve staff in the future shaping of their agency, and to train them for the types of roles that will be played by the State.*

12. *A careful evaluation of clerical and stenographic needs should be made to formulate a more realistic ratio of such assistance for parole staff.*

13. *The State should increase its efforts to inform and involve the public in all levels of correctional services, and to maximize its use of community resources.*

14. *No ward should be retained on parole involuntarily more than two years unless it can be demonstrated to the parole board, at least every six months, that the protection of the community is substantially increased by so doing.*

15. *The Youth Authority should make a stronger commitment not only to the further experimentation with but also the implementation of differential community-based treatment, in lieu of institutionalization, particularly with those youths for whom such a program has already been demonstrated effective.*

16. *The State should enact permissive legislation, allowing the State and individual counties to contract with each other for either jurisdiction to handle both probation and parole services in any county.*

Adult Parole

17. *The administrative structure of the CDC Parole and Community Services Division should be reviewed to assess the advisability of reducing the number of administrative levels through which communications must be channeled.*

18. *Whenever a particularly important or possibly controversial change in policy, procedure, or legislation is to be communicated, the communication should be made by the appropriate headquarters administrator on a face-to-face basis (at regional or district staff meetings) with all divisional staff concerned, to allow for questions from those who need interpretation of the change, and to avoid possibly conflicting interpretations by intermediate administrators.*

19. *The deputy director, assistant deputy director, and other appropriate headquarters staff should spend the maximum amount of time possible in direct contact with field staff, especially the line workers, to increase opportunities for direct two-way communication and to enhance the line worker's feelings of importance and "belonging".*

20. *Division administrators should constantly place great emphasis, in their contacts with regional and district administrators and with unit supervisors, on the vital importance of their responsibility to maintain open, two-way communication between top management and line staff.*

21. *In view of the heavy pressures exerted on parole agents as a result of both volume and program expansion, they should be given continuous and explicit support and assistance at the level of their major decision-making responsibility--the application of philosophy and policy to the specific case.*

22. *A strong and continuous effort should be made to develop much greater participation by all staff in the decision-making process, both as to expression of opinion on important issues and as to feedback to staff regarding the reasoning behind decisions made.*

23. *The California Department of Corrections should establish an overall caseload standard at least equal to that of probation subsidy programs (substantially below 50), but should at the same time develop more sophisticated strategies of differential treatment.*

24. *Parole agents should be given every possible encouragement to make recommendations completely consistent with their honest opinions in cases up for revocation hearing. Whenever a parole board decides contrary to staff recommendations, the board should indicate the basis for its decision.*

25. *The California Department of Corrections should expand its efforts to hire, train, and promote minority group members.*

26. *The Department of Corrections should develop its own fully staffed recruitment program.*

27. *Funds should be budgeted and approved to allow for substantial expansion of trainee and parole aide programs.*

28. *Every effort should be made to re-vitalize and strengthen the department's in-service training (or staff development) program.*

29. *A plan should be developed and funded for the systematic, specialized training of staff with in-service training responsibilities.*

In addition, Recommendations 6 through 9 and 16 in Chapter III on the California Youth Authority are also applicable to the California Department of Corrections.

Narcotic Addict Outpatient Program

30. *The State should provide funds adequate to the development and continued operation of a meaningful and efficient research program for the NAOP.*

31. *A community relations program should be incorporated in NAOP's organizational structure.*

32. *A liaison committee concerned with decisions concerning clients should be formed with representatives from both the Authority and program staff.*

33. *California's top correctional administrators should appoint a select body of persons whose sole and specific job, in conjunction with academicians and correctional and medical practitioners across the nation, is to design, within a specified but adequate period of time, a training model for those engaged in the handling of drug addiction.*

Community-based correctional programs

34. *The State should strengthen and expand its Community Parole Center Program for youth with increased emphasis on developing programs that will allow earlier institutional release and fewer returns.*

35. *In the event youth and adult services are consolidated, the State should experiment with using these Community Parole Centers for adults as well as for youths. Otherwise, the Department of Corrections should increase its Community Correctional Centers but model them more after the Youth Authority's centers, i.e., with increased emphasis on integrating institutions and parole and on becoming an integral part of the community.*

36. *The State should expand its use of community-based work furlough centers for inmates, particularly for women, and should use them for other types of furloughs such as vocational training and educational programs.*

37. *The State should enact legislation permitting inmates on furlough to reside in privately operated facilities via contractual arrangements.*

Paroling Authorities

38. *All parole board members should be appointed by the Governor, through a process of merit selection, and should be confirmed by the Senate.*

39. *Appointments should normally be to full-time positions and should be for six year overlapping terms.*

40. *The Director of the Department of the Youth Authority should be neither the chairman nor a member of the Youth Authority Board.*

41. *All of the parole boards should form liaison committees with the appropriate institutional and parole staff to discuss and resolve problems of mutual concern.*

42. *Consideration should be given to integrating the Women's Board of Terms and Parole into the Adult Authority, in which case at least two women members should be added to the Adult Authority.*

If this occurs, a Women's Advisory Committee should be created to advise the new Department of Correctional Services and all the boards on special concerns relative to women and girls.

43. *The Adult Authority, Youth Authority Board, and Narcotic Addict Evaluation Authority should be renamed the Adult Parole Board, Youth Parole Board, and Narcotic Parole Board, respectively.*

44. *The Narcotic Parole Board should be made a full-time board.*

45. *Each board should, through a process of merit selection, appoint an administrative officer and whatever number of hearing officers may be necessary, to perform whatever duties it wishes to delegate.*

46. *The proposed Department of Correctional Services and the various parole boards should form a training committee to develop specific training programs in correctional decision-making for all board members and hearing representatives, as well as for any correctional staff for whom it may be relevant.*

47. *Each California parole board should regularly publish and distribute both informational brochures and annual reports.*

48. *The California Penal Code should be amended to set one year as the minimum term to be served prior to parole for every person committed to state prison.*

49. *The Adult Authority and Women's Board of Terms and Parole or, if they are consolidated, the Adult Parole Board should set terms as soon as adequate evaluative materials are available. The burden of proof should be on the system to justify any subsequent extension of those terms.*

50. *All of the parole boards should review each case regularly (such as every six months) to evaluate whether individual inmates are ready for parole.*

51. *The Adult Authority should make every possible effort to reduce its median term for inmates to a period approaching the national average.*

52. *Conditions of parole should be clear, kept to a minimum, and tailored to the individual case.*

53. *Although many of the following procedural safeguards already exist in respect to revocation hearings, they should be adopted by all of the boards and should be codified:*

    1. *Boards should meet at least once a week to consider revocation matters.*

    2. *Hearings should be conducted by at least two board members or hearing representatives; if hearing representatives are used, their decisions should be confirmed by at least two board members.*

    3. *Written advance notice of the charges should be given to the parolee and, in the case of juveniles, to his parents as well.*

    4. *The parolee should be present at least at his final revocation hearing.*

    5. *The parolee should be able to hire and confer with an attorney prior to the hearing; attorneys should be able to write to and personally confer with board members prior to the hearing.*

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6. *Any witnesses should be able to write to board members; parents of juveniles should be able to confer with board members prior to the hearing.*

7. *Correctional institutional or parole staff should be available, at the parolee's option, to assist him in "telling his story" to the board.*

8. *Every effort should be made to minimize the parolee's time in custody before disposition. The final revocation hearing should be held no more than 14 working days after the parolee is delivered to the reception center; hearings should not be postponed unless necessary and should never be postponed beyond 30 days unless it is absolutely crucial.*

54. *All of the boards should conduct regular hearings in more major population centers of the State.*

55. *The Adult Authority, Women's Board of Terms and Parole, and Youth Authority Board should make efforts to consolidate initial and final revocation hearings whenever appropriate.*

56. *The board members or hearing representatives who hear a case should personally notify the parolee of their disposition or recommendation at the end of the hearing.*

57. *All of the parole boards should hold a formal hearing to consider discharge for <u>every</u> parolee who has completed two years on parole since release from a prison, juvenile institution, CRC, or county jail <u>sentence</u>. In the event discharge is denied, the board should hold a subsequent hearing on that case at least every six months. In all of these hearings, the "burden of proof" should be on the parole system to justify retention of the parolee under supervision any longer. These requirements should be codified.*

"Ideally, it is constructive in character, individualistic in its service, flexible in its use of resources and geared to changing needs."

The Practitioner in Corrections

California Probation, Parole and Correctional Association

CHAPTER I

INTRODUCTION AND STUDY METHODS

If there is a single principle to which all members of the criminal justice system agree, it is that all parts of the system are highly interdependent and interrelated. The effectiveness of any one segment of the system has a direct relationship with the effectiveness of all other segments, i.e., failure in one part of the system increases the burden on other parts of the system.

It is the fact of interrelatedness, commonly referred to as a "continuum of services", which makes it difficult to assess any one segment of the continuum as a separate entity. This is true within as well as among segments. For example, decisions made by parole boards are influenced by their perception of the effectiveness of the rehabilitative work that has been done with the parole applicant by institutional staff, and the parole board's decisions, in turn, affect the parole supervision program. Parolees released too early and those released too late will require different kinds and intensities of parole supervision than those released when they have reached the point of maximum benefit from institutional treatment.

Almost all persons know that parole falls at the very end of the correctional continuum. This is where those who have tried, and failed, wind up. It is where the public screams the loudest when even the best parole supervision goes awry, and the parolee once again attacks the community. It is the point at which felons and juvenile delinquents are often presumed by the public to have "mended their wicked ways", but instead may recidivate at an alarming rate.

This all suggests that parole has the most difficult task of all--that it carries the heavy end of the correctional burden. This suggestion is partly true, though not altogether. Parole has its own responsibilities and should properly discharge them, or be called to account. But a more basic fact is that once an offender reaches the parole status, all other parts of the correctional system must also then stand trial. Either they have paved the path for acceptable behavior or they have not--and the extent to which they have succeeded will directly affect parole outcome.

Yet, were it not for these connecting links, necessary social controls would be completely out of the question. The immediate problem is that the correctional field has not yet learned how to use the "continuum" of services to best advantage.

This concern flows through the very heart of the present study: to discover ways in which jails, institutions, probation departments, courts, parole services, and community correctional programs can better integrate their assorted responsibilities, to the end that crime and delinquency can be better controlled (and reduced if possible), and offenders persuaded that acceptable coping behaviors are not beyond their reach.

I. SCOPE OF PAROLE TASK FORCE

This part of the Correctional System Study is concerned with parole services for both juvenile and adult offenders. Items selected for study were generally as follows:

1. Administrative structure, especially the positioning of authority and lines of communication.
2. A review of California laws as they pertain to the parole system.
3. Stated administrative policies (philosophy, personnel practices, program objectives).
4. Policies as reflected in line staff parole practice.
5. Kinds and quality of results achieved by the parole system with respect to client rehabilitation.
6. Community-based correctional programs.
7. The Narcotic Addict Outpatient Program.
8. The total Parole Board system--its structure and function.

The major study findings are presented under two main headings: Juvenile Parole System and Adult Parole System. However, certain aspects of the study were of specialized nature and are thus presented apart from the main body of study findings.

II. STUDY METHODS

The planning phase of the study was begun by considering the purpose and function of the parole process and determining what steps should first be taken in examining California's parole system. Since the charge was to cover the entire parole system, not just parts of it, decisions concerning timing, staffing patterns, and orientation for field staff were also necessary.

Subsequent planning involved the selection of field staff, setting the date for the beginning of field work, determining field assignments, and

making arrangements for a review of California laws pertaining to parole. In addition, contact was made with NCCD's Research Center to discuss alternative ways of obtaining necessary data and information relative to the study.

Involved in planning also were several conferences with the study director. These were for the purpose of clarifying the Parole Task Force's role in the study and to inform staff of the study's overall objectives.

To provide continuity with the other Task Forces, the parole study was concerntrated in the same fifteen counties selected by the overall Correctional System Study. Field work was carried out by a research team of ten persons, all of whom were experienced correctional practitioners from other states. Study techniques employed by the research team were as follows:

Interviews with Parole Staff

In order to get the widest possible representation, interviews were held with line staff, district and regional supervisors, unit supervisors, and top administrative staff of both the California Department of the Youth Authority and the California Department of Corrections.

The purpose of these interviews was two-fold: (1) to gather factual information; and (2) to discover what philosophical differences exist among parole staff, and to consider how these differences impinged on the parole program.

Interviews with Parolees

Task Force staff interviewed adult and juvenile parolees, both individually and in groups. The purpose was to learn how parolees viewed the parole system, and to ascertain whether they felt that they had or had not been helped by the parole process.

Interviews with Paroling Authorities

Contact was made with all four parole baords, and 18 out of 24 members were interviewed. This aspect of the study was considered especially important since the respective boards make the final decision as to whether an offender may enter parole status. It also provided opportunity for determining whether or not board members and parole staff thought alike with respect to offenders, and what kinds of changes in board structure the board members deemed necessary to enable them to do a more effective job.

An additional four members of the Adult Authority who were not interviewed individually were interviewed together with the entire Authority relative to revocation hearings.

Auxiliary Interviews

Some contacts were made with police officers and sheriffs, probation officers, mental health workers, and with volunteers. However, these were few in number due to time restrictions. The combined numbers of juvenile and adult parole system representatives interviewed are as follows:

Regular parole staff	368
Supervisory staff	85
Collateral persons	82
Parolees	352
Administrative staff	38
Parole Board members	18
Board representatives	5
Board administrative officers	2

Questionnaires

Three sets of questionnaires were used in conducting the study. One was designed for juvenile and adult parole agents, (the same questionnaire in both cases), another for juvenile and adult parolees, (the same questionnaire in both cases), and the third for parole agencies elsewhere in the country. The staff questionnaire contained both qualitative and quantitative items in approximately equal amount. This was partly true for the parolee questionnaire, but eliciting attitudes and feelings was the main objective. The out-of-state questionnaire was developed for the purpose of learning something about the workings of other parole systems, with particular reference to new programs and ideas which appeared to be promising in the field of parole.

Questionnaire returns were as follows:

- Of 750 distributed to parole staff, 456 (61%) were completed and returned.
- Of approximately 1,000 distributed to parolees, 435 (44%) were completed and returned.
- Of 69 sent to out-of state parole agencies, 49 (71%) were completed and returned.

Attendance at Parole Board Hearings

While time and distance factors precluded attendance at all phases of paroling and revocation hearings of each of the four boards, Task Force staff did observe a number of hearings of the Adult Authority and Youth Authority. Following these hearings, board members or hearing representatives and parolees were interviewed to elicit their comments about and reactions to the decision-making process. Unfortunately, however, the small number of hearings attended

provided limited information concerning many aspects of the paroling and revocation functions.

Observation and Interaction

There were many instances during the course of the study where Task Force staff were invited to sit in on budget hearings, staff conferences, unit meetings, group counseling sessions with clients, and other related assemblies. In some situations, the role of the individual study staff member was that of observer; i.e., though invited to attend, he did not actively participate in the meeting. He was thus able to pay close attention to what was being said and to the interactions of other individuals in the group. In other instances, Task Force staff were indeed very much involved in group activity and discussion. This provided an excellent opportunity for increased insight and understanding of parole system problems and issues.

Summary

The findings and recommendations of the Parole Task Force are based principally on interviews with all levels of staff and with parolees, questionnaires distributed to staff and clients, interviews with parole board members, and direct observations of their proceedings, general observation of parole operations, a review of the relevant literature, and regular meetings and discussions with the overall Correctional System Study staff.

CHAPTER II

PAROLE MODEL

Parole must be viewed, not as a separate system, but as one of many connecting and overlapping systems, all of which pertain to human behavior in general and to the parole process in particular. Further, behavior must be recognized as an attribute common to all persons party to the parole process. To understand parole, then, one must look not merely at what the parolee says and does, but also at the activities of his various helpers and at community attitudes toward him. In short, one must look at the parolee as he interacts with the criminal justice system and with his total environment.

Given these principles, any effort to design a model for the practice of parole must be based on the belief that parole is basically a matter of human relationships and human interactions. To the fullest extent possible, the model presented here is intended to reflect this belief, and applies to both adult and juvenile parole processes.

It should also be noted that, while many of them are not repeated here, the Parole Task Force strongly endorses those generic principles applicable to the entire correctional system which are outlined and discussed in the System Task Force Report.

I. DEFINITION

Parole is defined as "the release of an offender from a penal or correctional institution after he has served a portion of his sentence, under the continued custody of the State and under conditions that permit his reincarceration in the event of misbehavior."[1]

"Parole is a continuation of the prison sentence under conditions of prescribed freedom within the community."[2]

The first of these definitions of parole was written by the U. S. Attorney General in 1939; the second is contained in the Parole Agent Manual of the California Department of Corrections. It is interesting to note that the former calls attention to the ominous pendulum of reimprisonment ever swinging over the parolee's head whereas the latter stresses a community-based process with considerable "freedom" for the parolee. This difference reflects a substantial shift of focus in correctional thinking over the years. However, to formulate a truly progressive definition of parole, it is necessary to incorporate the concepts of rehabilitation and reintegration. The Parole Task Force suggests the following definition:

> Parole is the legally sanctioned release of an offender from a correctional institution to the open community under temporary restrictions for the community's protection and under professional guidance and supervision directed at reintegrating him into society.

II. PURPOSE

The predominant aim of parole is to protect society by preventing, or reducing the likelihood of, further illegal behavior. The second objective is to help the parolee make a good adjustment to necessary social controls, and to discover ways that he can put his abilities to self-satisfying and socially constructive use, i.e., to rehabilitate and reintegrate him into society. The Parole Task Force views these two goals as normally compatible and maintains that the community is best protected by the rehabilitation and reintegration of the parolee.

III. PROFESSIONAL BASE

As in probation, parole practice has traditionally been predicated upon the philosophy and tenets of the behavioral sciences. While the approach or emphasis has varied between and within various jurisdictions, parole has drawn variously from the disciplines of social work, psychology, psychiatry, sociology, and, in recent years, criminology. Thus, although parole is not a discrete professional entity, its practitioners are frequently accorded professional status. It is expected that parole officers will adhere primarily to a professional role involving the dispensing of competent social services from one person (parole agent) to another (parolee), and also coordinating the community's services aimed at reintegrating the offender back into the society. It should further be the case that within legal and ethical limits these services, in whatever combination proves most efficacious, should be directed at preparing the parolee for the resumption of responsibility for himself and his behavior.

IV. WORKING TOOLS FOR PAROLE

The needs and capacities of parolees vary greatly from one person to another. For this reason, parole agents must have at their disposal, and know how to use, many different kinds of personal skills. They must also rely on a wide variety of community resources both for routine and for unusual types of case situations. Accordingly, the normal array of "working tools" that a parole agent must be able to provide include:

1. Positive client/professional working relationship (this must include the ability to relate to and effect behavioral change in parolees)
2. Flexible plan of treatment, participated in by the parolee
3. Individual counseling
4. Family counseling
5. Group counseling

6. Community contacts and referral sources pertaining to:

   a. employment
   b. education
   c. medical care
   d. family relationships
   e. peer relationships
   f. reception of client back into community
   g. halfway houses
   h. parole centers
   i. recreation
   j. volunteer assistance
   k. religion

V. RELATIONSHIPS WITH OTHER PARTS OF THE CORRECTIONAL CONTINUUM

If the parolee is to succeed on parole, he must leave the institution with the feeling that he wants to and can succeed. To help foster that attitude, the parole agent assigned to the prospective parolee should take an active part in pre-release planning. Ideally he should be assigned at the time the offender is committed to an institution. This not only provides continuity of service, but also allows more time for a primary relationship, essential to the parole process, to develop between the agent and offender. At the same time, the parole agent can and should consult directly with institutional personnel, who are frequently able to supply information regarding the client leading to a more effective treatment plan than would have been possible through written reports alone.

Optimally, planning for parole should begin the moment an offender is placed in an institution. What he does and what he learns in the institution has a direct bearing on the timing of his release, so frequent assessment of his adjustment to the institutional program is most important. Also necessary is a systematic program whereby some correctional person (preferably the parole agent) is concurrently working in the community with the offender's family and local community resources in preparation for his release. As the President's Commission on Law Enforcement and Administration of Justice has pointed out:

> "It is of little use to improve the reading skills and motivation of an . . .offender if the community school system will not receive him when he is placed on parole. . . . It makes little sense for a correctional institution to offer vocational training if an offender cannot find related work when he returns to the community."[3]

In light of recent trends to minimize parole conditions and make them more consistent with life in the free community parole agents should work closely with law enforcement bodies with the aim of reducing the myriad minor reasons for revoking parole. For obvious reasons, close contact between the two groups has always been necessary. But if violation criteria are to be changed, police officials should be so apprised and accompanying changes made in their contacts with parolees.

VI. DECENTRALIZATION OF PAROLE SERVICES

Thoughout the various Task Force Reports, it has been emphasized that correctional services should be delivered at the local community level to the greatest degree possible. This principle is especially crucial for the field of parole, since it has the obvious advantage of keeping the parole agent "where the action is". The decentralized "store front" or community center approach is highly recommended in that it places the agent where he is most likely to:

1. Be immediately available to his own clients
2. Be able to handle crises situations, both those of clients and of the neighborhood in general
3. Come to know, first hand, what the community is like and what its attitudes toward parolees are
4. Be able to develop and use community resources for his clients
5. Provide close supervision of clients, and thus reduce the likelihood of their posing a threat to the community

There are at least four other advantages to be gained from the decentralization of parole services. All are extremely important to the parole function. First, by decentralizing services they are made visible to the public eye, thus encouraging a greater amount of public understanding of the correctional system's operation. Heightened understanding is the only way community support, cooperation, and participation can be elicited.

Secondly, decentralization means that the parole agent is in a good position to recruit volunteers and develop a corps of aides who could be of great assistance both to parolees and parole agents. The community's role, both at auxiliary agency and volunteer levels, should range from direct program participation to acting in advisory capacity in decision-making processes.

Third, the increased interaction resulting from combined professional and community efforts would make it possible for parole practitioners to express accountablility not only to clients but to the public they serve.

Fourth, the increased involvement of the community would facilitate its acceptance of and responsibility for reintegrating its own members.

While it is not necessary that community-based parole functions be carried out by the local jurisdiction, State-county contracts should be permissible whereby a county provides parole services for persons residing in its jurisdiction.

VII. PAROLE BOARDS: STRUCTURE, FUNCTIONS, MEMBERS

Parole boards should be independent decision-making bodies who represent the public as a check-and-balance in the correctional system (similar to the role of the court at the local level). They should neither be under the control of the correctional agency whose clients they evaluate, nor in any way policy-making for that agency. In brief, one of their greatest values lies in their independence. On the other hand, every effort should be made to develop close, cooperative working relationships between the boards and agency staff.

The duties of parole boards should be to establish policies and procedures regarding all aspects of the paroling function; to make all decisions regarding the granting, revoking, and terminating of parole (including the setting and modification of conditions of parole) unless these responsibilities are delegated to hearing representatives; if the latter occurs, to serve as a review board on contested or appealed cases heard by hearing representatives and to hold hearings on cases which are highly controversial.

Both the number of boards and the number of members on each should be no larger than necessary to adequately perform their functions.

Appointments should be through merit selection, and members should serve for six-year overlapping terms, All members should have an educational and experiential background which would enable them to understand the causes of illegal behavior and methods by which such behavior could be modified.

Continuous training in correctional decision-making and parolee problems should be provided to all board members and any hearing representatives:

> "....It is vital that board members know the kinds of individuals with whom they are dealing and the many institutional and community variables relating to their decisions. The rise of statistical aids to decision-making and increased responsibilities to meet due process requirements make it even more essential that board members be sufficiently well trained to make discriminating judgments about such matters."[4]

VIII. PAROLING LAWS AND PRACTICE

The Report of the President's Commission on Law Enforcement and Administration of Justice has asserted, "While there should always be a maximum time for confinement, the law should not establish a mandatory minimum sentence."[5]

The offender should, whenever possible, be present during parole hearings and should be personally informed of all decisions by whomever makes the decisions.[6]

During revocation hearings, parolees should be permitted opportunity to provide both written and oral materials in their defense, including written statements prepared by other persons. In the event that parolees admit a law violation upon which the revocation is based, they should have the opportunity to present matters in mitigation or extenuation.

IX. SOME MAJOR REQUIRMENTS FOR PAROLE SUPERVISION

Because of their direct applicability to this model, the principle suggestions of the President's Crime Commission regarding parole supervision are quoted here. The Parole Task Force urges that they form the base for developing a formal statement of parole standards in California.

1. "Research is needed to develop two kinds of information: (1) an effective classification system through which to describe the various types of offenders who require different styles of supervision and the types of parole officiers who can provide them; and (2) a set of treatment theories and practices which can be applied successfully to the different types of parolees."[7]

2. "....pre-release and immediate post release programming should receive a very high priority among efforts to strengthen parole services."[8]

3. "The [parole] officer should be in contact with the offender's family prior to release and make arrangements when necessary with schools, mental health services, potential employers, and other community resources."[9]

4. The rules and conditions of parole "....seem to be best when they are relatively few, simple, and specifically tailored to the individual case. But no matter how well rules are chosen, the final test lies in how well they are applied and sanctioned. This involves great skill and sensitive judgment on the part of the parole officer. Training, rigorous personnel screening methods, and effective staff supervision are critically needed if that level of skill and judgment is to be developed and maintained."[10]

5. "The task of a parole officer is generally seen as developing close working relationships with police departments rather than performing law enforcement functions directly."[11]

6. "The best estimate available from current research seems to be that caseloads should generally average 35 per officer. At that level, some offenders who needed it could be closely supervised in caseloads of 20 or lower, and others could be handled adequately in caseloads as high as 75 or even more."[12]

   (While California has for some time been working in the direction of reduced caseloads, they have continued to remain considerably higher than the standard recommended by the President's Commission.)

7. "....parole services should make use of volunteers and subprofessional aides in demonstration projects and regular programs."[13]

8. "....parole officials should develop new methods and skills to aid in reintegrating offenders through active intervention on their behalf with community institutions."[14]

9. "Substantial service-purchase funds should be made available to....parole agencies for use in meeting imperative needs of individual offenders that cannot otherwise be met."[15]

X. RECAPITULATION

While there have been many changes in parole practice over the past thirty years, such as new treatment techniques, expanded research, more sophisticated experimentation and so on, the basic principles and philosophy have for the most part remained the same. For example, the following statement drawn up by delegates to the 1939 National Parole Conference still stands as a model of progressive parole theory and practice today (with one exception which will be noted below):

> "A Declaration of the Principles of Parole: WE, THE DELEGATES TO THE NATIONAL PAROLE CONFERENCE, ASSEMBLED AT THE REQUEST OF THE PRESIDENT OF THE UNITED STATES, AND REPRESENTING THE GOVERNORS OF THE SEVERAL STATES, THE JUDICIARY, FEDERAL, STATE, AND MUNICIPAL LAW ENFORCEMENT OFFICIALS, THE CHURCH, THE COMMUNITY, AND THE VARIOUS PENAL AND CORRECTIONAL SYSTEMS IN THE UNITED STATES, RECOGNIZING THAT
>
> Practically all imprisoned offenders are by operation of law ultimately released, and that Parole, when properly administered and carefully distinguished from clemency, protects the public by maintaining control over offenders after they leave prison, do declare and affirm that For Parole Fully to Achieve Its Purpose:

1. The paroling authority should be impartial, non-political, professionally competent, and able to give the time necessary for full consideration of each case;

2. The sentencing and parole laws should endow the paroling authority with broad discretion in determining the time and conditions of release;

3. The paroling authority should have complete and reliable information concerning the prisoner, his background, and the situation which will confront him on his release;

4. The parole program of treatment and training should be an integral part of a system of criminal justice;

5. The period of imprisonment should be used to prepare the individual vocationally, physically, mentally, and spiritually for return to society;

6. The community through its social agencies, public and private, and in cooperation with the parole service should accept the responsibility for improving home and neighborhood conditions in preparation for the prisoner's release;

7. The paroled offender should be carefully supervised and promptly reimprisoned or otherwise disciplined if he does not demonstrate capacity and willingness to fulfill the obligations of a law abiding citizen;

8. The supervision of the paroled offender should be exercised by qualified persons trained and experienced in the task of guiding social readjustments;

9. The state should provide adequate financial support for a parole system, including sufficient personnel selected and retained in office upon the basis of merit;

10. The public should recognize the necessity of giving the paroled offender a fair opportunity to earn an honest living and maintain self-respect to the end that he may be truly rehabilitated and the public adequately protected."[16]

The only point that does not fit a progressive model for parole today is number 7. As mentioned early in this chapter, a modern statement of parole philosophy must remove the emphasis on prompt reimprisonment and replace it with a stress on releasing the offender on parole to the community as soon as possible, consistent with public protection, and make every effort to keep him there through effective rehabilitation and reintegration.

FOOTNOTES

[1]U.S. Attorney General's Survey of Release Procedures, 1939. For other definitions, see Strahorn, Probation, Parole, and Legal Rules of Guilt, 26 J. Crim. L., C&P.S. 168 (1935-36); McCay v. Harris, 108 Utah 407, 160 P. 2d. 721 (1945).

[2]Department of Corrections, Parole Agent Manual, State of California (Sacramento, 1964), Foreword.

[3]President's Commission on Law Enforcement and Administration of Justice, The Challenge of Crime in a Free Society (Washington: U.S. Government Printing Office, February 1967), p. 165.

[4]President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections (Washington: U.S. Government Printing Office, 1967), p. 67.

[5]Ibid., p. 208.

[6]Joint Commission on Correctional Manpower and Training, The Legal Challenge to Corrections (Washington, 1969), p. 38.

[7]Task Force Report: Corrections, op. cit., p. 68.

[8]Ibid.

[9]Ibid.

[10]Ibid., p. 69.

[11]Ibid.

[12]Ibid., p. 70.

[13]Joint Commission on Correctional Manpower and Training, op. cit., p. 168.

[14]Ibid., p. 169.

[15]Ibid., p. 170.

[16]National Conference on Parole, Parole in Principle and Practice: A Manual and Report (New York: National Council on Crime and Delinquency, 1957), pp. 182-183.

CHAPTER III

THE JUVENILE PAROLE SYSTEM: STUDY FINDINGS

This chapter will deal with the parole operations of the California Youth Authority. While some comments will be made about the Youth Authority Board, as perceived by parole agents, major discussion of the Board will be reserved for Chapter VII.

In keeping with the overall mission of this study, which is to suggest ways of improving the correctional system, the current juvenile parole system will not be described in minute detail. Rather, attention will be focused primarily on those issues considered most relevant to needed systems change, accompanied by observations and discussion which emphasize future direction more than present achievements. However, the point must be made that the Parole Task Force considers California's youth parole system to be one of the most progressive in the country, and one strongly committed to continual striving for further improvement. The reader is asked to keep this in mind as study findings are presented and discussed.

During the course of this study, as often happens in studies of any duration, a significant change occurred which made current evaluation of the CYA parole operation very difficult. This was the recent Increased Parole Effectiveness Program which became operational under a grant from the California Council on Criminal Justice in April, 1971. The potential impact of this program is so widespread that it may well alter or even remedy many of the deficiencies found by Task Force staff. However, because the predicted impact is still potential, part or complete remedy of problems can not and should not be assumed at this time.

Of necessity, then, this Report is mostly based on the key observations and findings of Task Force staff obtained at the time of their field work in October, 1970. It is expected that recommendations made will follow logically from those findings. (Reference will be made, however, to the Increased Parole Effectiveness Program in a special section near the end of the chapter.)

After examining the administrative structure and the general philosophy and policies of CYA parole, the chapter will look at the primary functions and resources of the parole operation, examine parole through the eyes of the client, and evaluate the current program. The last two sections of the chapter will deal with: (1) the Increased Parole Effectiveness Program; and (2) State versus local responsibility for parole services.

If the Youth Authority and Department of Corrections are consolidated, as is recommended in the System Task Force Report, references to the Youth Authority would then be applicable to the new Department of Correctional Services.

I. ADMINISTRATIVE STRUCTURE

Large correctional organizations, like other bureaucratic entities, have traditionally developed a pyramid type of structure and employed what is often referred to as "scientific management". This involves a triangular line authority organization with policy-making, decision-making, and controls centralized at a single focal point--the top. The President's Commission on Law Enforcement and Administration of Justice described as follows "the internal organization of most correctional agencies":

> "Their bureaucratic structure is typically hierarchical, with rigid chains of communication and command. Official directives tend to lose their rationale and justification as they filter down through the system. For every official directive there are likely to be many unofficial interpretations which occur in discussions outside of the official channels of communication. Many subordinate officials have to depend upon unofficial versions of policy in order to gain any sense of what is expected of them".[1]

While this style of management was very much in vogue thirty or forty years ago, many business and industry organizations have long since abandoned "scientific" or military type management because it proved ineffective in accomplishing production objectives with a minimal number of internal stresses.

The Youth Authority has also developed and maintained this type of administrative structure in its parole operations. The Parole Manual describes the Department's lines of authority and communication as follows:

> "The formal lines of administration within the Division of Parole starts at the top with the Office of the Director to the Division Chief; to the Deputy Chiefs; to the Regional Supervisors of Parole; to the Supervising Parole Agents; to the Parole Agents. Unless otherwise specifically directed, assignment of work and general orders of operation shall move along this line. Suggestions, grievances, and special requests of any and all nature shall be made by each person to his immediate superior."[2]

In the recent past, CYA has been making serious efforts to decentralize its authority structure by encouraging a more active participatory role among lower level management and line staff. Some examples are as follows: substantial authority has been delegated to regional administrators; many offices and parole centers have been relocated in smaller units, closer to clientele; staff of all levels have been placed on department-wide committees, such as the Human Relations Advisory Committee; additional training and administrative staff have been assigned to the various regions.

Despite these changes, inherent handicaps such as size and geography, and the rigid chain of command traditions imbued in many middle-management personnel, continue to pose problems. Also, the great bulk of staff services (such as research, program development, personnel management, and other specialized functions) are still located far from most field operations. It would therefore appear, despite the substantial progress in decentralization, that the Youth Authority has not yet made a total commitment to a participatory style of management which pushes decision-making power, program responsibility, and necessary supportive service to the lowest possible level.

Top level administrators disputed this, but the evidence was clear from staff comments and responses. During interviews, line parole agents often expressed the view that authority was too concentrated at "the top"; that they had little or no voice in policies; that action rarely, if ever, seemed to be taken on suggestions they made through the chain of command; and that their innovativeness and sometimes "risk-taking" treatment efforts were often hampered by lack of support. Several agents stated that the cardinal rule in the agency was "protect the agency" or "don't rock the boat". They said that when "the pressure was on", they were often not backed up by their superiors. In brief, they perceived their agency as taking a conservative posture and leaving the "risk-taking" to individual agents.

These attitudes were also expressed in questionnaire data results. Table I reveals that two-thirds of all staff (including administrators and supervisors) felt that they had little or no voice in decision-making within their agency. Both upward and downward communication were perceived as unsatisfactory, especially by line workers who also saw CYA as discouraging flexibility and creativity, and as being basically conservative in its outlook.

An additional problem cited was that services units within the Youth Authority, such as budget and personnel, traditionally have been oriented more toward controlling instead of serving field operations and line staff. For example, one supervisor asserted that the role of the Personnel Board and personnel policy was geared to keeping staff in line. It was also stated that, to a large degree, budget personnel control program, yet involve line workers in their decisions only minimally, if at all.

These findings make it apparent that the Youth Authority still has a long way to go to create a truly participatory style of management as recommended by the President's Commission.[3] (The type of organizational structure and administrative style recommended by the Correctional System Study is discussed in detail in the System Task Force Report.) At the same time, there is substantial reason for an optimistic outlook. The Director himself recently informed the Rehabilitation Services Division staff at their annual conference that the traditional Youth Authority "is in the full agony of its death throes", though, unfortunately, "some members of our staff still cling to and harken back to an organization that has ceased to exist". He also asserted:

> "I can assure you that the Youth Authority is going to continue changing at an accelerated rate. Flexibility in both management and program is critical to our future growth and development."[4]

TABLE I
STAFF PERCEPTIONS OF YOUTH AUTHORITY STRUCTURE AND ORGANIZATION
(Percentage distribution*)

QUESTION	ALL STAFF (N=186)	LINE WORKERS (N=145)	ADMINISTRATORS & SUPERVISORS (N=41)
1. Estimate to what extent you have a voice in the decision-making of your agency.			
Strong voice	7	5	15
Inbetween	26	29	17
Little or no voice	67	66	69
2. Estimate how good the downward communication (i.e., from agency head down) in your agency is.			
Good	19	18	22
Fair	32	30	39
Poor	49	52	39
3. Estimate how good the upward communication (i.e., from line workers up) in your agency is.			
Good	18	14	26
Fair	29	28	32
Poor	54	58	42
4. Estimate how progressive and "risk-taking" your agency is.			
Clearly progressive	16	15	20
Inbetween	32	30	37
Clearly conservative	53	54	44
5. Estimate the degree to which your agency encourages flexibility and creativity.			
Clearly encourages	27	27	24
Inbetween	37	32	56
Clearly discourages	36	41	20

*Columns may not total 100% for a specific question due to rounding.

Recommendation

1. The Youth Authority administration should totally commit itself and maintain its commitment to a participatory style of management.

In the event that consolidation occurs between the Youth Authority and Department of Corrections, it is imperative that this style of management be put into operation from the very start of the new Department of Correctional Services, in line with the new nature of the State correctional apparatus recommended by the System Task Force.

II. PHILOSOPHY AND POLICIES

In Theory

The Youth Authority Act spelled out its purpose in 1941 as follows:

> "To protect society more effectively by substituting for retributive punishment methods of training and treatment directed toward the correction and rehabilitation of young persons guilty of public offenses."[5]

Over the past thirty years, the Youth Authority has in large part retained this stated objective, but in addition has attempted to place equal weight on the two goals mentioned in the Act, viz. protection of society and the rehabilitation of youth. In discussing CYA goals and philosophy, many agents referred to the Parole Manual, which describes the duties of parole agents as follows:

> "The parole agent serves two distinct yet compatible purposes in the treatment of delinquency: (1) assisting the wards assigned to him in their rehabilitation, and (2) the protection of society. He must maintain the clear perspective of his duties so that the needs of his wards and the safety of the community are maintained in the proper balance and one not being met to the exclusion of the other."[6]

Parole Task Force staff viewed both of these statements of purpose as satisfactory, but with certain reservations. First, while the attempt to balance rehabilitation and community protection is necessary, the primary goal should clearly be stated as protection of the public (as is done in the Youth Authority Act), in the event the two objectives conflict with each other. Secondly, important as rehabilitation is, helping a client to readjust to society may be even more important as a secondary goal. The concept of reintegration is relatively new, and it carries a specific message: The parole system (and other correctional systems as well) needs to concentrate increasingly on how offenders relate to their total environment rather than, as one academician put it, "dinking around with their psyches".

In this regard, the Youth Authority very recently formulated a new statement of its correctional mission--a statement which endorses the position taken by the Correctional System Study, viz:

> "....the Department seeks to reduce the probability [rate] of continuing illegal behavior of youth under the jurisdiction of a criminal justice agency."[7] (emphasis added.)

In Practice

Parole staff were asked both what is and what should be their primary goal. Table II indicates that almost all of the parole staff stated that the primary goal should be either rehabilitation or public protection, with a strong preference for the former. In spite of the official statements quoted in the preceding section, staff could not agree on what is the actual goal of the Youth Authority. It is clear, however, that many agents feel that their department does not stress rehabilitation to the extent that it should. One might surmise that considerable dissatisfaction, confusion, or, at least, disagreement must result--an inference generally supported by Task Force interviews with staff.

TABLE II
STAFF PERCEPTIONS OF GOALS

QUESTION	PERCENT RESPONSE
1. What should be the primary (i.e., most important) goal of corrections?	
Punishment	1
Keeping offenders "off the streets"	0
Protection of society	37
Rehabilitation of offenders	57
Other	4
Unclear or no opinion	2
2. What actually is the primary goal of your agency?	
Punishment	2
Keeping offenders "off the streets"	5
Protection of society	40
Rehabilitation of offenders	33
Other	6
Unclear or no opinion	13

Further evidence of ambivalence or lack of clarity was provided by staff response to the question: "Estimate how clear the philosophy and policies of your agency are". Thirty-five percent of all employees said they were definitely unclear while only 20% felt they were clear. This finding is consistent with those presented in Table I in the previous section.

When interviewed, many parole agents indicated that they did not really know what was expected of them in their daily work. When asked to elaborate, they pointed to the dual power structure of the Youth Authority administration and Board as the core of the problem. On the one hand, they said that it was their understanding that CYA administration was responsible for setting policy and for implementing policy in daily practice. Policies were to be interpreted and passed down the chain of command. In reality, however, they did not perceive it as working this way at all. For although Section 501 of the Parole Agent Manual declares that orders and directives flow down from the Office of the Director, the Manual also explicityly states:

> "When an order is made on the case of a ward by a duly constituted Board or Panel thereof of the Youth Authority, the staff shall expeditiously execute the order."[8]

In effect, then, not only is the parole agent responsible both to the Board and to the Department, but there is a pervasive feeling that policy for everyday parole agent duties is set by the Board, not by the Department. The problem is exacerbated by the fact that most agents believe that Board policy runs counter to Departmental policy. At the center of this concern was the common perception of the Board as overly conservative, too concerned about community reaction (mainly law enforcement), and focusing too much on legal points, documentation of client visits, etc.

A few even went so far as to say that there was little point in abiding by any policy other than those set by the Board since they so often took precedence over the dictates of both administration and the Parole Agent Manual. While the Parole Agent Manual theoretically spells out a rather complicated procedure for resolving such inconsistencies and conflicts,[9] many parole agents obviously either do not use it or do not feel it is effective.

Although not comfortable with this arrangement, several agents pointed to some practical advantages. One is that it permits an immediate supervisor to be of considerable help to line staff, even though indirectly. The supervisor has direct contact with the Board since he normally presents all cases in his unit to it. Hence, he is in a position to intercede for the agent by helping him to convince the Board of specific recommendations which the agent believes to be necessary for the accomplishment of treatment objectives.

Another advantage is that since the agents know what the Board expects by way of written reports and what the many inclinations or "biases" are of its individual members, it is not difficult to "slant" reports in a direction that manipulates the Board. While the agents are aware of and very much concerned about the ethics involved in this situation, many feel that it is often the only way to achieve desirable treatment objectives. In short, the

Board is considered to be so conservative with respect to revocation decision-making that some parole agents are willing to compromise their own ethics for what they perceive as the best interests of their clients.

Although this situation is not unique to parole, it should be remedied. As with probation officers who write different reports for different judges, parole agents will probably always be tempted to mold their reports in such a way as to obtain the disposition they desire. However, this inclination must be strongly resisted if the correctional profession is to maintain its integrity. Removing the Youth Authority Board completely from the Department of the Youth Authority (as recommended in Chapter VII) should enable staff to write the facts honestly and objectively as they see them, without fear of repercussions of any kind. (The Probation Task Force is recommending that probation officers not be appointed by the Judiciary for the same reason.) Separating the Board from the Authority should also help to clarify and unify the philosophy and policies of the Department since they will then emanate from a single source. This is not to suggest that the two bodies should remain aloof from one another. On the contrary, every effort must be made to develop and maintain coordinated and cooperative relationships between the Board, the Youth Authority, and all parole personnel.

III. FUNCTIONS

The two primary functions or tasks of parole are classification and rehabilitation/reintegration of offenders. Generally speaking, the California Youth Authority has been a national leader in both of these areas, particularly in terms of program planning and development.

Classification

Considerable time and effort is expended in reception centers and other institutions to classify all wards by one or more systems that have relevancy to treatment techniques. However, much of this effort seems lost when youths are paroled. For example, two-fifths of all line agents indicated that they use no classification system whatever with their clients. An additional 30% replied that they used one, but found it of no significant help in treating their clientele. This corroborates Task Force interview findings which indicated very little sophisticated use of a classification system. A sizeable number of staff mentioned that they had been trained in I-Level classification. But they added that they did not normally use it, ostensibly because it was complicated and time-consuming. One agent classified all his cases according to astrology, supposedly facetiously, and felt that it was as meaningful as anything else. Task Force staff found little evidence to dispute this.

There were a few noteworthy exceptions to the situation described above. These were found in special programs with significantly reduced caseloads, such as the Community Treatment Project and the Guided Group Interaction Program.[10] A particularly progressive direction pursued in some units was the "matching"

of workers and clients according to the worker's ability to deal with a particular type of youth (a concept supported by 70% of all staff). However, the normal differentiation seemed to be merely the one mentioned in the Parole Agent Manual, viz. "regular supervision cases", which were to be seen once a month, and "special service cases", to be seen twice a month.[11]

Recommendation. 2. The Youth Authority should strengthen its ongoing development and use of classification systems, with particular emphasis on integrating such efforts between institutions and parole.

Rehabilitation/Reintegration

In Theory. As previously mentioned, the California Youth Authority has long been in the forefront nationally in planning and developing correctional strategies. In keeping with this tradition, the Department has recently drawn up and endorsed one of the most progressive policy statements on program planning in existence. While this document is brief and, in many respects not implemented, it clearly sets forth a series of premises for correctional planning which "represent the conceptual framework and guide used for comprehensive program planning by the Department of the Youth Authority":[12]

1. Divert from the System
2. Minimize Penetration into the Criminal Justice System
3. Maximize Capacity for Differential Care, Treatment and Custody
4. Normalize Correctional Experience
5. Maximize the Involvement of the Volunteer and the Offender as an Agent of Change
6. Minimize Time in Correctional System
7. Maximize Research and Evaluation for Feedback and Organizational Change

The Parole Task Force concurs totally with all these principles and suggests the addition of another, perhaps implied in number 5: Maximize the Use of Community Resources.

In Practice. The Youth Authority has a number of carefully planned, experimental treatment programs in operation, primarily in large urban centers. These programs (notably the Community Treatment Project, Guided Group Interaction, Part Way Homes and Community Parole Centers) have been described and evaluated in regular CYA reports.[13] Unfortunately, however, the youths participating in these programs comprise only 10% of the total parolee population (approximately 13,500

wards).[14] The great majority of rehabilitation/reintegration efforts take place in excessively large caseloads and are left up to the ingenuity and skills of the individual agent. (The new Increased Parole Effectiveness Program attempts to ameliorate this situation by reducing caseload size and requiring a differential case approach, involving careful and ongoing case planning between agents and supervisors.)

Also noteworthy is increased Departmental effort to integrate institution and parole services. By placing both components of the system in one Division of Rehabilitation Services, and by pilot programs which assign cases to parole agents while wards are still confined, some progress is being made toward coordinating the services of both. Examples of these pilot programs are the Community Parole Centers (evaluated in some detail in Chapter VI), the Ventura Intensive Treatment Program, and the KITE program at Nelles--all of which involve "in-and-out" caseload assignments. Administration feels that another recent program of value is the "temporary detention" program in which wards can be held in one of the institutions up to thirty days at the request of the individual parole agent. Approximately 2,000 youths were so detained between July, 1970 and March, 1971.

While this program has potential for considerable abuse and must therefore be judiciously exercised, it has the definite advantage of handling minor violations expenditiously without the necessity of requesting a Board hearing or the risk of lengthy reinstitutionalization.

Finally, staff were asked to estimate "the general guality of correctional services" in their agency. Only 21% of line workers and 42% of administrators rated it highly while 32% and 15%, respectively, indicated it was of low quality. Since the great majority of respondents were from regular parole units, it is surmised that many of the pessimistic responses reflected frustration about unmanageable caseloads.

To summarize, the California Youth Authority has developed an extremely progressive set of principles by which its operations should be guided. A number of noteworthy programs have been put into effect, and a major reorganizational step has been taken to better coordinate services. It appears, however, that these developments and changes have not overly-impressed the great majority of line workers and administrators. The Parole Task Force urges the Department to continue its quest for providing more effective services especially aimed at reintegrating wards back into their respective communities.

IV. RESOURCES

This section will examine the key resources available to carry out the Youth Authority's mission. "Resources" is used here in a very broad sense, referring to any factor that contributes to the CYA's efforts in accomplishing its goals.

The principle resources to be discussed are staff, training, general working environment, community relations and resources, and fiscal support.

Staff

The consistent impression Task Force members had of Youth Authority staff was that the majority was seriously committed to its work and dedicated to assisting youths make a successful adjustment in society. At the same time, a sizeable minority appeared to be either "burnt out", i.e., coasting on their jobs and trying to expend as little effort as possible, or excessively law enforcement oriented. Perhaps this is inevitable in large correctional organizations whose staff come from widely varying backgrounds and work experience. Nevertheless, many staff expressed frustration with the system's inability to either "revitalize" or remove such persons.

In addition, even highly dedicated line staff, laboring under severe handicaps, were very discouraged. Caseloads are excessively large and the proportion of "hard-core" difficult-to-manage clients has been steadily increasing since the advent of probation subsidy;[15] a strong "hold-the-line" State budget has hampered program enrichment and the development of auxiliary resources; training is minimal; and many staff feel that their agency does not adequately support treatment efforts.

Supervision. Supervisors are generally seen as the pivotal workers in an organization. They are the key link between administration and line workers who carry out agency operations. As such, they are crucial links in the vertical communication network. They are also the primary trainers and enablers of line workers, a role which generally "makes or breaks" the organization. Accordingly, it is essential that these individuals be selected carefully, be delegated appropriate authority and responsibility, and be provided with ongoing training necessary for their job.

While many staff expressed high regard for their supervisors, others complained that either they received too little supervisory assistance, or that their supervisors were too controlling and restrictive. A not infrequent assertion made by line staff and higher administrators was that a number of these critical first-line supervisor positions were filled by persons who were incompetent or "burnt-out".

Questionnaire results, however, indicated that about two-thirds of line staff evaluated their immediate supervisors as being "qualified", "helpful", and "available". In fact, supervisors and administrators were slightly more critical of their superiors than were line workers. It will be recalled in Table I that fully 69% of the supervisors and administrators asserted that they had little or no voice in decision-making matters. Apparently these persons feel more restricted than do the lower echelon personnel.

A number of first line supervisors asserted that they were not allowed as much participation in decision-making important to the organization, such as budget appropriations and personnel decisions, as they should be. Some also mentioned that they needed more training in management and supervisory techniques than was available. The general consensus, however, was that, top level administration did want to involve them increasingly in decision-making processes.

Recommendation. 3. First line supervisors should be carefully selected on the basis of ability to maximize effectiveness of line workers under them and should be retained in such positions only as long as they are doing this. They should be delegated increasing authority and responsibility, should be involved more in decision-making crucial to the agency, and should receive greatly increased training in effective managerial techniques.

Para-Professionals and Volunteers. While there is almost always a certain amount of staff resistance, at least initially, the use of para-professional and volunteer workers is now a well-established and well-accepted resource in corrections.[16]

Although the actual hiring or involvement of para-professionals and volunteers was found to vary greatly from office to office, parole staff were generally found to be favorably disposed toward them, both in interviews and in questionnaire responses. Questionnaire results showed that 85% of line workers were willing and able to use para-professionals, and 78% asserted that they could use volunteers in their normal work. In fact, 93% of all staff felt New Careerists "should be allowed and encouraged to work their way up to regular line and supervisory positions....provided they meet the necessary requirements". This support is not to say, however, that there have not been some negative incidents with some of these workers or that there has been no conflict between them and professional staff. As with any other staff, "New Careerists" need to feel that they are an important part of the organization, and they need to receive ongoing training and supervision.

Unfortunately, the "New Careerist" program is being eliminated in July, 1971 due to budget restrictions. Administration pointed out that this program had been poorly planned, e.g., CYA had little or no involvement in the selection process, no career ladder was made available for these persons, and the prohibition against ex-felons becoming parole agents prevented some from ever being promoted to that category. However, administration did indicate that every effort is being made to retain those "New Careerists" who had become formal State employees by reallocating funds from other sources. Additionally, a study is being made of the specific functions of entry level positions to determine if certain tasks could not be handled by para-professionals.

Recommendations. 4. The Youth Authority should make every possible effort to revive and expand its para-professional program. Similarly, it should recruit and involve volunteers to a much greater extent.

5. The State should amend section 1029 of the Penal Code and any other laws or policies that prohibit the hiring and permanent appointment of ex-felons as peace officers provided they have shown evidence of being rehabilitated and have successfully completed a probationary period of employment.

Personnel Policies: Hiring and Promotion. Few staff had serious objection to initial employment requirements. About 85% felt that minimum qualifications should be a bachelor's degree in the behavioral sciences, with most staff also favoring a year's graduate training or relevant experience.

However, many complained about promotional procedures and opportunities. Dissatisfaction with the current set-up was pervasive, and clearly surpassed the gripes of a few malcontents or the grumblings of those who had not been promoted. In fact, 81% of all line workers and 76% of supervisors and administrators replied "no" to the question: "Are you basically satisfied with the promotional system in your agency?" Specific complaints included the observations that administration often manipulated civil service lists to promote "favored employees"; that written tests were often irrelevant; that there was little feedback on test results as to why or in what areas individuals performed poorly; and that there were increasingly fewer promotional opportunities due to declining commitments to the State's juvenile institutions.

Minority hiring and promotion has been an issue of special consternation. While many staff declared that the Youth Authority has traditionally been a "white organization", it was generally acknowledged that the current administration was making a concerted effort to hire minority persons. Many staff were found to have strong feelings on this issue and expressed different points of view. On the one hand, a number of minority personnel, particularly militants, asserted that Blacks and Chicanos were not being hired or promoted to anywhere near the degree they should. On the other hand, some Caucasian agents felt that administration was trying to promote minorities even if they were not as qualified as others. Some went so far as to suggest that additional credit was being given to minority persons on the oral exam. The racial issue in the CYA is one that is reflective of society in general, and one would be simply burying one's head in sand to deny that it was a pervasive concern among both staff and clients.

Finally, there was overwhelming support (84% to 87%) for revising the policies of the entire correctional personnel system to allow employees from any part of the system to transfer, without loss of rank or benefits, to any other correctional agency in the State. Similarly, 97% of all staff supported the creation of a separate promotional series for case-carrying agents, parallel to at least the first line supervisor level. In this way, outstanding parole agents would not have to become administrators to be promoted.

Recommendations. 6. The Youth Authority and the State personnel board should engage in an ongoing re-evaluation of personnel policies and procedures, especially those related to hiring and promotion, with participation in such evaluation by all levels of staff.

7. The State should hold "open" examinations, i.e., not restricted to current State employees, for every civil service position. Similarly, the State should participate with the counties in developing a personnel system that would allow the transfer or promotion of employees between various correctional agencies, without loss of benefits, provided they meet the necessary requirements.

8. The State should create the equivalent of a Parole Agent III position that would involve direct supervision of clients (i.e., carrying a caseload).

Training

It seems a strange paradox that there should be almost universal agreement regarding the importance of sound basic training, yet study after study points to the lack of adequate training as a major problem. The present study is no exception. Although three-quarters of all parole staff acknowledged the existence of some in-service training, they rated both its quantity and quality as low. Table III reveals that while most staff acknowledged the existence of some type of in-service training, they did not view it as being pertinent, ongoing, or individualized. Only 17% of line workers and 9% of administrators reported that they received even a full hour of training per week. Verbal assertions repeatedly supported these questionnaire results, with heavy emphasis on the need for more and better training at the crucial point of agency orientation. The major reason given for this situation was a "bare bones" training budget. This indeed seems to be the case since only $32,165, or less than .4% of the parole budget is allocated for training.[17]

Since comprehensive studies of training and manpower concerns were conducted in 1968 and in 1969-70, the reader is referred to those documents for a detailed analysis of the current state of training needs, allocation of resources, gaps in training, and a lengthy series of recommendations which Task Force members generally support.[18]

The Youth Authority is well aware of its training deficiencies, and has recently taken steps to strengthen its training resources in parole by the new Increased Parole Effectiveness program. But much more needs to be done. Any significant improvement will necessitate a strong administrative commitment to training; a vastly increased budgetary allocation to cover training time and travel; the hiring of specialized trainers; adequate funds for conferences, workshops, special equipment such as videotape; and accessible library facilities.

An additional problem referred to in the training studies mentioned above is the very poor coordination between the State's various training resources. Specifically, the Youth Authority has its own internal training program and at the same time maintains a separate training program for county probation officers through its Community Services Division. The Department of Corrections also has a probation training program as do many of the county probation departments. On top of this, within both CYA and CDC, there are

TABLE III

CYA STAFF TRAINING
(Percentage distribution*)

QUESTION	ALL STAFF (N=186)	LINE WORKERS (N=145)	ADMINISTRATORS & SUPERVISORS (N=41)
1. Does your agency have in-service training for employees of your level?			
Yes	76	75	80
No	24	25	20
2. Is this training relevant?			
Yes	48	45	56
No	52	55	44
3. Is it individualized?			
Yes	20	22	13
No	80	78	87
4. Is it ongoing?			
Yes	36	35	41
No	64	65	59
5. If you receive in-service training, how many hours per month?			
1-2 hours per month	62	63	59
3-4 hours per month	23	20	31
5-9 hours per month	12	13	9
10 or more	3	4	0

*Columns may not total 100% for a specific question due to rounding.

separate training programs for institutional and parole staff. With training resources at a premium, this duplication is both costly and highly inefficient.

Recommendation. 9. The State should develop a training network of State and county trainers and training resources, similar to the CO-ACT Model,[19] to provide or coordinate necessary training for all parole (and other correctional) staff.

Working Environment

Caseloads. One of the most serious handicaps found within the juvenile parole system was excessive caseload size. Although the State requires that counties must have substantially below 50 cases per probation officer in order to qualify for State subsidy,[20] Youth Authority parole agents have been staggering under caseloads averaging 72 boys or 56 girls. This has been the case for 90% of the 13,500 wards on parole.[21] In view of the fact that virtually all of these cases are youths with whom the counties had been unable to cope, even in local camps or specialized subsidy caseloads, this situation is an absurdity.

The Youth Authority itself has frankly admitted the inadequacy of this program:

> "....the present parole program provides a minimum level of surveillance and those limited case work services which do occur are almost an incidental product arising out of other activities."[22]
>
> "The total effect has been to substantially reduce the level of protection we offer the public and the level of effective service we are able to offer to clients."[23]

The Department also points to related parole deficiencies:

> "(1) insufficient time for case services and supervisory case management;
> (2) case assignment based on geography and insistence on uniform caseload size;
> (3) the lack of meaningful discussion and review of case-services delivered; and
> (4) the systematic development of new alternatives for parolees.
>
> Needless to say, systematic research related to any of these areas is completely missing."[24]

This situation apparently caused such problems that Task Force members were informed of considerable effort to "beat the system". For example, some staff indicated that directives occasionally came down not to discharge youths

at critical budget times, to transfer cases in such a way as not to lose positions, etc. This type of manipulation seemed to be generally accepted as necessary to protect the work force.

Recommendation. 10. The standard for parole caseloads should be reduced to at least that set for probation subsidy caseloads (i.e., substantially below 50 cases).

Morale. Another serious problem in CYA parole today is poor morale. This was a consistent observation of Task Force staff throughout most parts of the State. Many experienced CYA personnel said morale was clearly the lowest it had ever been in their recollection. Fifty percent of all parole staff indicated in the questionnaire that morale was definitely low (compared to 34% of CYA institutional workers and 29% of adult parole staff); only 15% said morale was high.

Oddly enough, reasons for low morale appeared to center around the positive effects of probation subsidy. Since 1965, the number of wards committed to the Youth Authority has declined steadily[25] (see Juvenile Institution Task Force Report). Mainly, this has been due to the efforts of county probation departments to work with as many malleable youth as possible, and to refer to the State only those who seem incapable of responding well to probation supervision. The obvious outcome has been an increase in the proportion of difficult hard-core cases in CYA institutions and on parole. Yet parole caseload sizes have remained much the same (until the recent Increased Parole Effectiveness Program), and there has been little, if any, increase in auxiliary services or enriched programming which would make the agent's job more manageable.

Reduced commitment rates have also had the effect of contracting rather than expanding parole operations. In turn, this has resulted in fewer opportunities for promotion. Parole staff are becoming increasingly anxious about these conditions. They no longer see job security or promotional opportunities as something to be taken for granted. In fact, some staff pointed out that the only recent boost to morale was the inclusion of parole agents in the safety retirement program, allowing earlier retirement.

Surprising as it may seem, the morale factor has not yet observably affected staff dedication to the work they are doing. According to questionnaire responses, 70% of all staff were planning to make a career in corrections and would recommend the field to other persons. Only 7% planned to leave corrections and 12% would not recommend it as a career.

In several respects, the future for parole staff is likely to become even more difficult and more uncertain. In a sense, the die has been cast. The direction for correctional services is clearly to move them as much as possible to the local, i.e. county, level. If the State subsidy program is shored up, fewer and fewer wards will be committed to the State. In consequence, there will be fewer jobs for State employees in parole (though there

may well be an increase of jobs in such areas as consultation, training, and other specialized services).

Conditions like these are painful to contemplate and harder yet to accept. It is therefore imperative that administration continue to inform staff, at all levels, of the future direction of their agency and, to the fullest extent possible, provide them with the opportunity of participating in the shaping of its destiny. Administration must also make every effort to provide for the future of its staff, and to develop the kind of staff that will be needed in the State's newly emerging role in corrections. This new role is spelled out in the System Task Force Report.

Recommendation. 11. Administration should continue strong efforts to inform staff of the future direction of the agency together with the full implications for staff, to involve staff in the future shaping of their agency, and to train them for the types of roles that will be played by the State.

Communication. As Table I indicated, communication, particularly upward, was perceived by most staff as generally poor. Many acknowledged, however, that the administration was making a serious effort to improve the flow of information in both directions. Several agents pinpointed the levels of middle-management as the primary obstacle to good communication. They asserted that if this obstacle were removed, "communication would be at an all-time peak".

In a State as large as California, difficulties in developing an effective communication network must be expected. Further, for California, it can be predicted that the problem will worsen, at least for a time, as CYA continues to decentralize. Administration must do everything it can to anticipate the onset of new communication problems, and at the same time seek ways of resolving those already existing. Difficult as this sounds, it is not an impossible task. For when all staff become truly involved in key decisions pertaining to agency function, legitimate claims of communication barriers should no longer be possible.

Working Conditions. Aside from the major problem of excessive caseloads, general working conditions appeared satisfactory. Over 90% of staff, for example, described both their working conditions and salaries as "fair" or "good". Not surprisingly, the major complaint was directed at inadequate clerical help; 25% of staff said such assistance was insufficient. This appears in large part directly due to the ratio of only one clerk-typist position for every 220 cases in a unit, plus one-half position for each unit supervisor. This is barely more than half the mandatory standard imposed on probation subsidy units by the State of three such positions for every unit, all of which must have substantially less than 300 cases.[26]

Recommendation. 12. A careful evaluation of clerical and stenographic needs should be made to formulate a more realistic ratio of such assistance for parole staff.

Community Relations and Community Resources

According to questionnaire results, 92% of all staff felt that the public does not understand what corrections is all about. A meager 4% believed that society is supportive of correctional endeavors as against 68% who said it is not. These perceptions are considerably more pessimistic than those of the probation officers (see Probation Task Force Report), and indicate something about the community's attitude toward parolees and the agents' anticipations of the type of reception wards receive when released from YA institutions. As all of the Task Force Reports have noted, it is evident that a great need exists for vastly increased public education and improved public relations, not only for parole but for all of corrections.

As for community resources, the most frequently mentioned needs were satisfactory living arrangements (such as group and foster homes), a much wider variety of mental health resources, and more employment opportunities for older wards. Many line staff expressed eagerness to involve the community by enlisting the aid of volunteers in the important job of parolee rehabilitation and reintegration. One of the most promising Youth Authority programs concerned with treating youth at the community level and with community involvement is the Parole Center Program which is discussed in Chapter VI.

Administration has taken a very progressive stance on the issue of community involvement. The Director, in a recent address to the Rehabilitation Services Division, stressed repeatedly that the future direction of corrections is clearly to care for the offender in the community, and to involve residents of the community as agents for change. In his words, "virtually all of the changes confronting us are based on a theme of expanding community-based programs".[27] The key question here is whether this philosophy will filter down throughout all levels of staff, and if so, what commitment will staff make to it. The answer (at the county as well as State level) may well be the single most important factor affecting the thrust and success of correctional efforts for years to come.

Recommendation. 13. The State should increase its efforts to inform and involve the public in all levels of correctional services, and to maximize its use of community resources.

Fiscal Support

Compared with other State correctional programs, financially the CYA parole program appears to be faring relatively well. This may be partly due to society's general interest in youth. However, parole programs, like most other State operations, are feeling the financial pinch of increased citizen

opposition to higher taxes. This was dramatically illustrated at an important meeting attended by a Task Force member, and to which all supervisors and administrators from half of the State had been invited to discuss the budget. The principal speaker opened the session with the statement: "Gentlemen, this is an issue of survival. We are talking about saving jobs and preserving the system." He went on to suggest that survival of the system was so uncertain as to necessitate considerable budget manipulation.

A related problem was the feeling of many line and middle-management staff that they had little or no input in budget preparation. Even the above mentioned meeting, apparently the first of its kind, was perceived by some as primarily an attempt to elicit consensus on what was already a fait accompli, rather than true staff involvement in budget planning and decision-making. If parole staff members misconstrued the underlying intent of that meeting, then administration needs to clarify the intent.

V. PAROLE AS THE CLIENT SEES IT

Table IV summarizes questionnaire responses of approximately 253 parolees. Since questionnaires were distributed and returned in a confidential manner and since respondents averaged a full year on parole, the answers are believed to be generally honest and perceptive. The most significant finding was that on virtually every question dealing with the parolee-parole agent relationship, two-thirds (and often more) of the wards gave very positive responses; extremely few expressed negative feelings about their parole agents. However, when a question was raised about the parole system in general, 39% of all respondents gave a negative rating, i.e., "makes little difference one way or the other" or "makes people worse".

Panel (group) interviews brought out additional critical comments. These centered around society's labeling and rejection of the parolee (e.g., schools and jobs were often closed to them and police frequently harassed them), while parole agents did little that was of any significant help. Some comments along this line were:

> "The system just tells you lies, passes you along, and puts you back on the street with nothing having been changed."
>
> "The worse thing that happens is coming out and having everybody know you are a parolee. It hurts you in school, especially trying to get a job, and even with the chicks."
>
> "Parole's a joke. It does nothing for you. Keeps a few people employed perpetuating the hoax on the public."

TABLE IV

CYA WARDS' VIEW OF PAROLE

QUESTION	PERCENT RESPONSE
1. How well do you and your parole officer get along?	
Very well	69
Fairly well	21
Not well at all (i.e., poorly)	2
Don't know him well enough	8
2. How interested do you think your parole officer really is in you?	
Very interested	64
Somewhat interested	23
Not interested	1
Don't know	12
3. How much help has your parole officer been to you?	
A great deal of help	57
Some help	29
No help	3
Haven't had him long enough to tell	10
4. Do you think your parole officer is trying to help you?	
Yes	91
No	1
Don't know	8
5. How often do you generally see your parole officer?	
Have never seen him	3
Once a week	20
Every two weeks	18
Once a month	40
Every two months	8
Every three months	3
Less than every three months	8
6. Where does your parole officer usually see you?	
Have never seen him	3
His office	40
Your home	45
A "field" office where he sees other parolees	7
Mail or phone	2
Other	3

TABLE IV (Continued)

QUESTION	PERCENT RESPONSE
7. Has he ever come to your house?	
Yes	86
No	14
8. Do you trust your present parole officer?	
Yes	81
No	3
Not sure	16
9. Do you trust the parole department in general?	
Yes	49
No	19
Not sure	32
10. Would you like to change from your present parole officer to another?	
Yes	4
No	82
Doesn't matter	13
11. If you were to ask for another parole officer, do you think you could get one without any negative consequences, i.e., without it being held against you or hurting you in some way?	
Yes	23
No	32
Don't know	45
12. Overall, how would you rate your present parole officer?	
Very good	65
Generally good	23
Fair	10
Generally poor	1
Very poor	1
13. Frankly, do you feel parole:	
Helps people	61
Makes little difference one way or the other	31
Makes people worse	8

In group interviews, parolees also pointed to the parolee-agent relationship:

> "My parole agent was authority-oriented and built more fences than helped me. Each meeting drove us further apart."
>
> "I got a good parole agent. He didn't think he was a cop. He was available but not always on my back."
>
> "Having a damn good parole agent that can relate and listen is the key."

The most common theme was that success or failure was primarily up to the individual parolee:

> "If I ever wanted anything, it's me who starts the ball rolling."
>
> "Either an individual will make it or not, but not because of parole."

To summarize, the data clearly suggest that a good deal of rapport exists between the parole agent and his charge. However, the system of parole is viewed with suspicion (e.g., only 23% of the clients felt that they could get another parole officer without having it held against them), and the community is perceived as being rejective. In the view of the parolee, any positive change, therefore, is likely to come about as a result of changing aspects of the system and by changing community attitudes. Because he is viewed in such a favorable light, it would appear that the parole agent is in the most strategic position to effect such changes.

VI. EVALUATION OF CURRENT PROGRAM

General Recidivism

How effective is the CYA parole program? This is a critical question not only for CYA parole but for the entire correctional system. Over the past decade, scarcely more than one out of three juvenile parolees in California completed parole without violation. Table V reveals that the violation rate has, in fact, remained fairly stable for at least the past ten years. This picture is not surprising in view of repeated past client failure in local rehabilitation programs, and since CYA must deal with the most "hard-core" offender.

TABLE V

CYA PAROLE VIOLATION RATE: 1961-1970[28]
(Based on wards removed from parole)

YEAR	VIOLATION RATE
1961	65.1
1962	65.2
1963	64.2
1964	63.3
1965	64.2
1966	62.8
1967	64.0
1968	66.3
1969	64.6
1970	62.9

There has been a slight decrease in violators in the past two years despite the more difficult caseloads occasioned in part by the probation subsidy. But this is not enough. The State of California is in to position to be complacent about its handling of youthful offenders--not even in the face of occasional spurts of success. The reality is that, in today's society, delinquency is here to stay. If any additional progress is to be made in protecting society and successfully rehabilitating and reintegrating juvenile law-violators, an ever increasing commitment to prevention and corrections must be made.

Length of Parole

Table VI indicates that the mean length of stay on parole has been rising steadily. Since nearly 90% of all violations occur within the first two years on parole,[29] it is not at all clear why parole supervision for non-violators should be significantly lengthened beyond two years, particularly for girls. If any part of the answer has to do with attempts to preserve parole agent positions, then stronger procedural safeguards will of course be mandatory. Table VI also reveals that the mean number of months on parole for violators has increased from 12.8 in 1965 to 17.2 in 1970. This reflects the YA's increased willingness to retain its parolees in the community as long as possible, and is consistent with the philosophy of reintegration.

TABLE VI

MEAN NUMBER OF MONTHS ON PAROLE FOR WARDS REMOVED FROM PAROLE: 1965-1970[30]
(By type of removal and sex)

YEAR	TOTAL	NON-VIOLATORS	VIOLATORS
TOTAL			
1965	17.1	24.9	12.8
1966	17.5	25.4	12.8
1967	17.9	25.1	13.9
1968	18.3	25.9	14.4
1969	19.4	26.5	15.6
1970	21.2	27.9	17.2
BOYS			
1965	16.4	23.9	12.6
1966	16.7	24.3	12.6
1967	17.3	24.3	13.7
1968	17.7	25.2	14.3
1969	18.8	25.8	15.4
1970	20.1	26.7	16.7
GIRLS			
1965	22.0	29.2	14.7
1966	22.2	29.9	14.4
1967	21.7	28.4	15.1
1968	21.7	28.9	15.1
1969	23.2	29.2	17.2
1970	27.0	32.7	21.0

Recommendation. 14. No ward should be retained on parole involuntarily more than two years unless it can be demonstrated to the parole board, at least every six months, that the protection of the community is substantially increased by so doing.

Community Treatment Project

Since 1961, the Youth Authority has been piloting a community-based program, in lieu of institutionalization, which has received world-wide recognition. The Community Treatment Project (CTP) classifies youths according to a sophisticated interpersonal maturity (I-level) scale, "matches" them with agents who have been rated most likely to be effective with them, and carries out a highly individualized or differential treatment program in small caseloads. While there are a number of theoretical and practical shortcomings in this program, (a major one being unusually high time demands), results have been very

encouraging.[31] At fifteen months and twenty-four months, CTP wards had failure rates which were roughly two-thirds that of control groups and all other parolees in the State.[32] There is also evidence that "the State has saved several million dollars in capital outlay", due to elimination of initial institutionalization and a much lower return rate.[33]

Since volumes of descriptive and evaluative data are available about CTP, this report will name only those factors which have "made a substantial contribution to the comparative effectiveness of CTP."[34]

1. matching of youths and agents
2. ability and perceptiveness of agents
3. intensive and/or extensive intervention
4. differential and treatment-relevant decision-making
5. working through of the agent/youth relationship as a major vehicle of treatment

Researchers offer this important note of caution:

> "CTP's effectiveness is not simply a result of its having operated within a community setting: all available evidence suggests that the avoidance of institutionalization, in itself, contributes little if anything to the experimental-control differences in parole success. In other words, it is the differential or intensive/extensive treatment aspects--as reflected in, and supported by, the above five factors --which appear to be of fundamental importance."[35]

CYA also claims that 89% of all youth eligible for the program do at least as well as other parolees who are institutionalized (an average of nine or ten months) before parole, that 36% perform better in CTP, and that only 10% do better in the traditional program.[36] As Gibbons pointed out several years ago, "these results strongly suggest that community treatment stands as an effective alternative to institutionalization".[37] In fact, the Youth Authority has asserted that it "no longer views community treatment in lieu of institutionalization as, largely, an 'experimental' venture".[38] If this is a firm position, then the Youth Authority and the State of California must make an even stronger commitment to these findings.

Recommendation. 15. The Youth Authority should make a stronger commitment not only to the further experimentation with but also the implementation of differential community-based treatment, in lieu of institutionalization, particularly with those youths for whom such a program has already been demonstrated effective.

VII. INCREASED PAROLE EFFECTIVENESS PROGRAM

As mentioned at the beginning of the chapter, CYA initiated its Increased Parole Effectiveness Program (PEP) in April, 1971, several months after the Parole Task Force had completed its field work. However, because of its implications for the future, it merits inclusion in this Report. Since a detailed description of PEP is available,[39] attention here will focus mainly on program goals, methods for obtaining those goals, and general program aspects.

Goals and Methods

The Youth Authority has formulated two long-range objectives for PEP, one general and the other specific:[40]

1. reduce crimes committed by wards under its jurisdiction;

2. reduce parole returns sufficiently to enable closure of 400 plus beds by April 1, 1973.

It lists the following as the key methods and procedures to attain these goals:

> "(a) Planned programs of enriched services to parolees on a differential case-by-case, unit-by-unit basis;
>
> (b) Systematic changes in the decision-making process as it relates to the use of community alternatives for parolees;
>
> (c) Training and consultation for parole agents to enable them to develop new community alternatives for parolees;
>
> (d) Special training and consultation to supervisors to enable them to implement new procedures for counseling and case review with parole agents; and
>
> (e) Ongoing evaluation to: (1) identify effective programs; (2) give feedback for administrators, managers and workers on performance; and (3) measure the degree to which program objectives are achieved."[41]

The CYA is receiving $1,800,000 Federal "seed" money over a two-year period to implement PEP. The expectation is that a decrease in the parole violation rate will make the program self-supporting within that time. Of major significance is the fact that "this plan commits the Youth Authority to reallocating funds presently going into institutional programming to an improved, effective parole services operation."[42] This type of commitment and reallocation is one that might well be increased within the CYA and duplicated by other correctional agencies in general and by adult correctional institutions in particular.

By reducing caseloads to a flexible average of 50-1, and by significantly strengthening the training program (by $93,000 over two years), the Department hopes to provide the time, increased skills, and resources necessary to retain more high-risk youth in the community.

Evaluation

Because of its newness, no valid assessment of PEP's effectiveness can be made at this time. However, there is no bar to discussing its emphasis and its potential impact.

Two particularly favorable aspects of PEP are that it decreases caseload size, and that it apparently triples CYA's training capacity for parole staff. Its heavy stress on training and on increased effectiveness of first-line supervisors (intended to change their role from "caseload auditor" to "resource manager"),[43] follows the recent statewide training study recommendations.[44] However, it perhaps leaves unresolved a problem acknowledged by many staff, specifically that a number of supervisors are, in effect, "semi-retired". More aggressive administrative action may still be necessary to remedy this situation if training does not. Action must also be taken to further reduce parole workloads, since they are still in excess of subsidy standards set for the counties, and to correct the earlier mentioned inadequate clerical ratio.

Caution must be exercised with respect to the time and functions of the line worker. While many constructive additons have been made by PEP--increased training, case staffings, supervisory consultation and controls, research, etc. --there is a distinct possibility that, in combined form, they may place such a time burden on the worker as to negate the reduction in his caseload. Conversely, if the caseloads are reduced without these additional resources and more effective supervision, agents are likely to continue handling cases in the same manner they always have (as has occurred in some probation subsidy programs). Methods for accommodating to these issues must be developed, and should include reduced paperwork and increased emphasis on client-oriented activities.

Finally, there is the uncomfortable question as to what will happen to PEP and the overall parole program if the CYA is not able to sufficiently lower its return rate within two years (a goal that will be increasingly difficult if counties drastically reduce their commitments even further as is strongly recommended by the Juvenile Institution Task Force Report). The question is not intended to imply that the required objectives will not be met. In fact, there have already been some reports of a turnabout in staff morale and enthusiasm. Also, despite the questions raised in this discussion, Task Force staff is strongly convinced that PEP has potential for making the most dramatic impact on parole operations in many years. The sincere hope is that this potential <u>can</u> be realized and that concerns raised here will therefore ultimately be completely dissipated.

VIII. WHO SHOULD HANDLE PAROLE?

Assuming that State commitments continue to decline, there is good probability that caseloads will be spread thinly over considerably widened geographical areas. This will necessitate more agent time per individual case, and make it increasingly difficult for agents to make maximum use of local resources. For these reasons, and because local probation departments provide services closely comparable to those of parole, many correctional and public officials are suggesting that county probation departments might well be a more effective and less costly vehicle for providing parole as well as probation services. Many clients were under local probation supervision before commitment to the State, and unless it can be demonstrated that State field services are more effective than county aftercare programs, there seems no logical reason why these clients, once paroled, cannot again be supervised by local authorities.

On the other hand, as pointed out in the Probation Task Force Report, there may be instances where counties, especially small ones, might wish to have the State provide not only parole but probation services as well.

In either case, provided State and county agreement has been reached, there should be no legal barrier to their making respective arrangements on a contractual basis. The financial implications of such a contract, as these relate to the new subsidy program recommended by the Correctional System Study, are discussed in the System Task Force Report.

Recommendation

16. The State should enact permissive legislation, allowing the State and individual counties to contract with each other for either jurisdiction to handle both probation and parole services in any county.

IX. SUMMARY

This chapter has described the juvenile parole system in the State of California. It began with an examination of the administrative structure of the Youth Authority in terms of the style of management manifested by the Department. Basic in this was the concern with communication patterns and the extent to which staff participate in the decision-making process. This was followed by a discussion of the Youth Authority's philosophy, policies, and functions.

The section on Resources dealt with staff roles, including those of the supervisor and the para-professional; matters of training, caseloads, and staff morale were also examined. In addition, interview and questionnaire data were presented to depict client views of parole and of the Youth Authority.

The final sections of this chapter dealt with the topic of effectiveness of the Youth Authority, and included an assessment of the Community Treatment Project as well as the newly established Increased Parole Effectiveness Program.

Some of the major findings of the Task Force are as follows:

1. Despite the trend toward simpler and more flexible organizational structures, the Youth Authority continues to be handicapped by its large size and traditional hierarchical structure. Staff at all levels in the hierarchy, particularly line workers, are dissatisfied with communications in the Department. There is also the definite feeling, again among line workers, that they do not have enough voice in important policy matters affecting field operations. In brief, there is the general opinion that the Department is conservative and unwilling to experiment with new ideas.

2. There is a pervasive belief among parole agents that the Youth Authority Board, not the Department, sets important policies and defines the duties of the agent. They feel that Board policies are too conservative and law enforcement-oriented, especially in matters of parole revocation. As a result, many parole agents "slant" their reports and thereby manipulate Board members.

3. The morale of the parole staff is poor. Among the factors responsible for this condition are poor communications, and little or no voice in policy-decisions, both of which are mentioned above. However, perhaps even more important are the changing parolee characteristics leading to serious management problems, and above all, the lack of promotional opportunities. Since 1965, the length of time on parole has increased five months. Thus, despite the fact that greater numbers of youth are being diverted from State institutions, parolees are now serving longer periods of time under supervision. This is resulting in a "piling-up" of parolees in each agent's caseload. In short, it would not be inaccurate to state that the staff feels "locked in" a system where they are overworked, have inadequate clerical assistance, are denied the privilege of transferring from one agency to another, and feel that they do not have the support of the administration.

4. There are a number of "soft spots" in the staffing of YA personnel. One has to do with a number of first-line supervisors who are "coasting", either because they are not capable of providing agents with supervisory leadership, or because they are "burnt out". Another has to do with the underrepresentation of CYA parole agents from racial and ethnic minority groups. This unfortunate situation exists in the adult parole system as well. A third "soft spot" in staffing has to do with the employment of para-professionals and New Careerists, and it is extremely unfortunate that persons of great potential value to corrections may no longer be recruited because of budget restrictions and poor planning.

5. Despite the above problems within the YA staff, parole agents have been able to maintain good rapport with their clients. The questionnaire data clearly indicate that the parolees have very positive attitudes toward their agents. However, they are not nearly so positive toward the system, and view it with a good deal of uncertainty and suspicion.

6. While a precise statement regarding the effectiveness of the YA's program is not possible, available data indicate that the violation rates over the past ten years have remained relatively constant. In fact, since 1968 they have decreased slightly, even though there are more "hard-core" cases under supervision. In addition, the period of time spent on parole before violation has increased steadily since 1965, suggesting a concerted effort on the part of the parole agents to retain their charges in the community.

7. The Community Treatment Project, now formally a part of the Youth Authority program, has shown consistently that it is superior to institutionalization as a method of programming Youth Authority wards. In addition to the CTP, the Youth Authority has recently launched the Increased Parole Effectiveness Program (PEP). One of PEP's specific goals is to close approximatley 400 institutional beds by April 1, 1973. The achievement of this goal will be facilitated through increased staff training and reduced caseloads, both to be important ingredients of PEP.

8. As will be evident in the next chapter, many of the observations made by the Task Force in this chapter, and summarized above, also apply to the Parole and Community Services Division of the Department of Corrections. The CYA and CDC have many problems in common. For example, as will be seen in the following chapter, the adult parole system is encumbered by five administrative layers that encourage rigidity and bureaucratic "red tape". The Division is also plagued by communication problems. Policies are not clearly stated, and line staff report little or no voice in important decision-making matters, and, in general, feel "locked in" their positions.

FOOTNOTES

[1]President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections (Washington: U.S. Government Printing Office, 1967), p. 16.

[2]Department of Youth Authority, Parole Manual, State of California (Sacramento, revised August 1, 1966), Section 501.

[3]Loc. cit.

[4]Department of Youth Authority, Staff News, State of California (Sacramento, April 16, 1971).

[5]California Welfare and Institutions Code, Article I, Chapter 937, Section 1700.

[6]Department of Youth Authority, Parole Manual, op. cit., Section 521.1.

[7]Department of Youth Authority, "Program Planning Policy", State of California (Sacramento, April 12, 1971), p. 1. (Mimeographed.)

[8]Department of Youth Authority, Parole Manual, op. cit., Section 502.10.

[9]Ibid.

[10]Department of Youth Authority, A Guide to Treatment Program, State of California (Sacramento, April 1970).

[11]Department of Youth Authority, Parole Manual, op. cit., Sections 520.2 and 521.7.

[12]Department of Youth Authority, "Program Planning Policy", op. cit., pp. 3-6.

[13]Department of Youth Authority, A Guide to Treatment Programs, op. cit.; Department of Youth Authority, The Status of Current Research in the California Youth Authority, State of California (Sacramento, July 1970).

[14]Department of Youth Authority, "Project Proposal: Increased Parole Effectiveness", State of California, Submitted to California Council on Criminal Justice, January 21, 1971, p. 34. (Mimeographed.)

[15]Ibid., pp. 24-26.

[16]See: Joint Commission on Correctional Manpower and Training, Offenders as a Correctional Manpower Resource (College Park: repreinted November 1970); President's Commission on Law Enforcement and Administration of Justice, op. cit., pp. 102-104.

Footnotes

[17]CYA Budget, 1970-71.

[18]California Task Force on Correctional Manpower and Training, Mobilizing Correctional Manpower (Sacramento, September 1968); Department of Youth Authority, Training for Tomorrow, State of California (Sacramento, July 1970).

[19]See: Training for Tomorrow, Ibid.

[20]Department of Youth Authority, Rules, Regulations, and Standards of Performance for Special Supervision Programs, State of California (Sacramento, revised November 1969), p. 4.

[21]Department of Youth Authority, "Project Proposal: Increased Effectiveness", op. cit., p. 34.

[22]Ibid., p. 21.

[23]Ibid., p. 26.

[24]Ibid., pp. 26-27.

[25]Department of Youth Authority, A Comparison of Youth Authority Wards: 1961-1970, State of California (Sacramento, September 1970), pp. 6-7.

[26]Department of Youth Authority, Rules, Regulations, and Standards of Performance for Special Supervision Programs, op. cit., pp. 14-15.

[27]Department of Youth Authority, Staff News, op. cit.

[28]Department of Youth Authority, Annual Statistical Report: 1969, State of California (Sacramento, 1970), p. 27; 1970 statistics obtained from Division of Research.

[29]Department of Youth Authority, State of California, statistics to be published in 1970 Annual Statistical Report of Division of Research.

[30]Ibid.

[31]See: Don C. Gibbons, "Differential Treatment of Delinquents and Interpersonal Maturity Levels Theory: A Critique", The Social Service Review, 44 (March, 1970), pp. 22-33; James Robison, The California Prison, Parole and Probation System, Technical Supplement No. 2, A Special Report to the Assembly. (Sacramento: California Office of Research: undated), pp. 56-62.

[32]Ted Palmer, "California's Community Treatment Project for Delinquent Adolescents", accepted for publication in 1971 issue of Journal of Research in Crime and Delinquency, p. 14. (Mimeographed.)

[33]Ibid., p. 16.

Footnotes

[34]Ibid., pp. 18-19.

[35]Department of Youth Authority, The Status of Current Research in the California Youth Authority, op. cit., p. 5.

[36]Palmer, op. cit., p. 21.

[37]Don Gibbons, Society, Crime, and Criminal Careers (Englewood Cliffs: Prentice-Hall, 1968), p. 528.

[38]Palmer, op. cit., p. 15.

[39]"Project Proposal: Increased Parole Effectiveness", op. cit.

[40]Ibid., p. 32.

[41]Ibid.

[42]Ibid., p. 30.

[43]Ibid., p. 37.

[44]See: Department of Youth Authority, Training for Tomorrow, op. cit.

CHAPTER IV

THE ADULT PAROLE SYSTEM: STUDY FINDINGS

I. ADMINISTRATIVE STRUCTURE

The adult parole system in California is a function of the Parole and Community Services Division of the Department of Corrections. The Division is administered by a Deputy Director, responsible to the Director of the Department. The Deputy Director is assisted by an Assistant Deputy Director and various administrative and staff personnel in the headquarters office in Sacramento. He is also supported by Departmental Services, such as the Management Services Division, the Research Division, and so on.

At the next level of administrative structure are six Regional Offices, each headed by a Regional Administrator. Regions I through IV are constituted primarily on geographic lines, covering the entire state; while Regions V and VI are primarily constituted functionally, to administer certain specialized programs, such as the Narcotic Addict Outpatient Program, the Parole Outpatient Clinics, etc.

The Regions, in turn, are subdivided into Districts, and the Districts into Units, administered by District Administrators and Unit Supervisors respectively. Thus there are five administrative levels of staff in the Division, including the line staff level.

In any administrative structure as large and as complex in its functions as this one, one of the major maintenance tasks is communication. The expectation that communication problems will arise is heightened when the large and complex organization is a professional one, in which the decision-making process must take place at every level, including the line workers. In the final analysis, it is the line worker who delivers the service to the division's clients, both parolees and community. He must, therefore, apply decisions made at all levels to the specific case situation. Thus, if there is any breakdown or distortion of communication, in either direction, between the line worker and the top level of administration, it will have a negative effect on the line worker's ability to implement the division's mission.

To add to the division's problems of communication and of administrative control and supervision, the number of parolees assigned to adult parole agents for supervision has shown a marked and accelerating increase over the past few years. On February 1, 1965, adult male felon parolees totaled 10,127 (this figure excludes adult female felon parolees and civilly committed narcotic addict parolees). Over four and a half years later, on June 30, 1969, this group of parolees had increased by 8%. Just one year after that, on June 30, 1970, they were up almost 19% over the 1965 figure.[1] And as of April 1, 1971, the increase in this group had grown to about 40% above the 1965 figure. When adult female felon parolees and civilly committed narcotic addict parolees are added, the April 1, 1971 total of parolees under supervision is 19,922.[2]

According to a study made by the Department's Research Division, certain key characteristics of felon offenders committed to the Department of Corrections, the vast majority of whom are ultimately released on parole, have apparently been changing over the past decade.[3] The changing characteristics will be discussed at a later point in this chapter, but the pertinent point here is that changes in the characteristics of the parole population require corresponding changes in programs and staffing patterns in the division.

The need to adapt both to rapidly increasing volume and to changing program needs has put a tremendous strain on the whole structure of the Parole and Community Services Division. The following sections will attempt to identify those spots at which this strain may become, or already has become, evident and will suggest ways in which remedial action may be taken.

II. COMMUNICATION

Since the quality of its communication system directly affects the ability of any organization to fulfill its mission, the Parole Task Force staff devoted a substantial proportion of its time to assessing the quality of communications within the Parole and Community Services Division. Findings were somewhat mixed.

Divisional field staff, from regional administrators to line staff, were in general agreement that dissemination of information from the top levels of administration was good with respect to the substance of new policies, procedural changes, and legislation. However, since some policies, procedures, and legislative changes are subject to interpretation before being converted into action, and since there are three administrative levels between division administration and line staff, some problems have arisen regarding the intent of such communications. Line staff, in particular, expressed the feeling that communications from department or division administration sometimes became distorted (though perhaps unintentionally) by the time they were received.

In general, the division's field staff viewed upward communication as more of a problem than downward communication. At each level, the feeling was expressed that efforts to communicate upwards were frequently either intercepted or diluted at the next higher level, with the result that top administration frequently remained uninformed regarding the problems and frustrations of the division's "lower echelons".

Table VII reproduces the responses to two items in the confidential questionnaire distributed to staff in the areas covered by the California Correctional System Study. These responses generally support the verbal feedback received by Task Force staff, and suggest several observations. First, only a minority of the staff would rate the quality of communication in a very favorable light. About one-third of the staff--line workers, supervisors, and administrators--evaluated the quality of communication

(downward or upward) as being "good" or "excellent". Fully 33% asserted that downward communication was either "bad" or "poor" and 43% rated upward communication in the same unfavorable light. Second, the line staff is more dissatisfied with the quality of communication, in either direction, than are the supervisors and administrators. Third, the supervisors and administrators are more dissatisfied with upward communication than with downward communication.

This evidence of dissatisfaction with communication in the division, while not overwhelming, is sufficient to serve as a warning of possible impending trouble. It is not unreasonable to assume that much of the dissatisfaction expressed is due to the cumbersome, multi-layered administrative hierarchy of the division described at the beginning of this chapter.

TABLE VII
STAFF PERCEPTION OF COMMUNICATION IN THE DIVISION
(Percentage distribution*)

QUESTION	ALL STAFF (N=268)	LINE WORKERS (N=204)	ADMINISTRATORS & SUPERVISORS (N=64)
1. Estimate how good the downward communication in your agency is.			
Excellent	7	6	11
Good	24	23	27
Fair	37	36	40
Poor	21	24	13
Bad	11	12	10
2. Estimate how good the upward communication in your agency is.			
Excellent	6	5	6
Good	27	27	27
Fair	24	24	27
Poor	29	28	30
Bad	14	15	11

*Column totals may not equal 100% due to rounding.

While the Parole Task Force recognized that responsible administrators were aware of a problem in this area and were taking steps to resolve it, the following recommendations are made to lend support to, and perhaps to increase, the efforts now being made.

Recommendations

17. The administrative structure of the division should be reviewed to assess the advisability of reducing the number of administrative levels through which communications must be channeled.

18. Whenever a particularly important or possibly controversial change in policy, procedure, or legislation is to be communicated, the communication should be made by the appropriate headquarters administrator on a face-to-face basis (at regional or district staff meetings) with all divisional staff concerned, to allow for questions from those who need interpretation of the change, and to avoid possibly conflicting interpretations by intermediate administrators.

19. The deputy director, assistant deputy director, and other appropriate headquarters staff should spend the maximum amount of time possible in direct contact with field staff, especially the line workers, to increase opportunities for direct two-way communication and to enhance the line worker's feelings of importance and "belonging".

20. Division administrators should constantly place great emphasis, in their contacts with regional and district administrators and with unit supervisors, on the vital importance of their responsibility to maintain open, two-way communication between top management and line staff.

III. IMPLEMENTATION OF THE DIVISION'S MISSION

The Mission

As with other components of any modern, progressive corrections system, the basic mission of the adult parole component is the protection of society through reduction of the probability of continued or renewed illegal behavior by parolees. In a parole system, the two major elements of this mission are the rehabilitation and reintegration into law-abiding society of the maximum possible number of parolees; and the removal from society and reincarceration of those who have committed, or are in imminent danger of committing, further aggressions against society. The multiplicity of techniques, programs, and resources developed to achieve the parole mission preclude a full description here; but, for an excellent and brief description of adult parole supervision in California, the reader is referred to the introduction of a report made to the Legislature by the Department of Corrections in December, 1970.[4] The extent to which a parole system is able to increase the number of parolees reintegrated into society and to reduce the number reincarcerated, while maintaining a consistent or increased level of protection of society from criminal acts by parolees, constitutes its "success" rate. The following subsections, then, will briefly review two of the more noteworthy programs inaugurated during the past decade by the Parole and Community Services Division to achieve its mission; look into the division's "success" rate; discuss some of the problems related to the division's program expansion; and suggest actions needed to reduce or resolve those problems.[5]

The Work Unit Program

The stated objectives of the Work Unit Program, which was inaugurated as of February 1, 1965, were "to serve the public interest by a reduction in new crime and aggressive acts committed by parolees; by providing increased assistance to the parolee; and by a reduction in the cost of handling offenders within the correctional system."[6] Between 1965 and 1970, substantial progress has been made toward all these objectives and is statistically demonstrated in the study already cited.[7] Of even more significance, however, are the statistically verified indications, in the same study, that, coincident with the creation of the Work Unit Program, there was a general increase in the "success" rate of the whole adult parole system. Why this came about is a matter of speculation at this time, but the implication remains that a powerful thrust toward keeping the parolee out of prison has been generated in the entire adult parole system, and some thoughts on the subject will be presented later.

Use of Trainees and Para-Professionals

Some of the most disturbing and most frequently discussed trends of the past decade have been the combined urbanization and suburbanization of the nation's population, the rapid increase in the proportion of minority group members in the inner city populations, and the growing alienation of these sub-cultural groups from the majority culture. When recognition of these trends is related to the fact that approximately 50% of California's CDC population consists of minority group members, it adds up to a major problem for an organization expected to "rehabilitate and reintegrate" its clients. The simple answer would seem to be, "Hire more staff from among the State's minorities", especially since 77% of the 199 line workers and 81% of the 64 supervisors and administrators who checked the ethnic group item on the questionnaire indicated that they were Caucasian. But the answer is not that simple. Among minority group members who could qualify for positions as parole agents, not enough apply. In an attempt to alleviate this problem, the division has employed three kinds of para-professional personnel: (1) student professional assistants; (2) correctional casework trainees; and (3) parole aides. The parole aides, in particular, are recruited predominantly from economically depressed sections of urban areas to help bridge the communications gap between a largely Caucasion middle-class parole staff and the largely minority group populated communities in which they must function. As yet, it is only a small beginning, but in the next decade, it may prove to be one of the most important steps yet taken by the parole system.

The Division's "Success Rate"

When measured by the percentage of parolees still in parole status two years after release from prison versus the percentage that had to be reincarcerated, as well as the percentage who had committed new felonies, the success rate of the parole division showed a remarkable improvement following inauguration of the Work Unit Program.[8] From a high of 47% returned to

prison within two years of their release in 1962, the rate dropped to 32% returned to prison within two years of their release in 1967. At the same time, 20% of those released in 1962 had committed new felonies within two years of release, while only 12% of those released in 1967 had committed new felonies within two years of release. In short, while reducing the number of parolees returned to prison by almost 33%, they had also reduced the number of new felonies by over 41%.

As stated earlier, however, the most interesting aspect of this improved success rate is that it occurred in both Conventional Units and Work Units.[9] Of the parolees released between May, 1965, and June, 1968, 34% had been returned to prison within two years from Conventional Units, and 33% from Work Units. The Work Units, however, did have a somewhat better record in protecting society, since 15% of those returned from Conventional Units had committed new felonies, as compared with 12% from the Work Units. Thus, of the 9,145 parolees in Conventional Units, 1,335 committed new felonies whereas of the 8,392 in Work Units, 982 had new felonies.

Just why the Conventional Units began to show a marked improvement in success rate quite soon after the establishment of the Work Unit Program is a matter of speculation. It may have reflected motivation through competition. It may have reflected the desire of line workers to prove their right to be transferred (or "promoted" as they perceive it) to the smaller, more professionally rewarding caseloads in the Work Units. It may have reflected an increased conviction among parole agents that top administration was sincerely interested in keeping parolees out of prison as long as they did not pose a serious threat to society. In all likelihood, it was a combination of all of these factors. Whatever the reasons, it is clear that the introduction of a new program, with emphasis on the belief that parole supervision can work if given a real chance, greatly improved the functioning of the whole system. It also raises the question whether the gains already made will be lost if this program is not expanded and strengthened. A return to the prior (and much lower) level of success rates would cost the State's taxpayers millions of dollars (to say nothing of the human cost). Considering the cost differential between parole and incarceration, it has been estimated that to date the savings in operational costs under the new program have exceeded five million dollars. The savings in capital outlay for institutional building may be as high as 45 million, part of which is attributable to the Probation Subsidy Program.[10]

Some Problem Areas

As was indicated earlier in this chapter, there have been a number of "growing pains" related to the parole division's rapid expansion, both in numbers of parolees under supervision and in new program development. These changes have consumed tremendous amounts of administrative time, thought, and energy, with the result that regular organizational maintenance tasks may have been partially neglected. In this section, some of the problem areas noted by the Parole Task Force, both in on-site interviews and through returns on the questionnaire, will be discussed.

One of the foreseeable results of a combined increase in overall parolee caseload and development of new programs is that a substantial number of parole agents would be relatively new, either recently recruited or recently assigned to their current jobs. And, as a matter of fact, the Task Force found that, of 204 parole agents responding to the questionnaire issued in October, 1970, 114 (56%) had been on their present assignment for two years or less. When this finding is combined with those in Table VII, on communications, the results obtained in Table VIII, are not too surprising. It is likely that the weighting toward the "unclear" end of this scale among parole agents indicates an expression of anxiety about making decisions on specific cases. In interviews with Task Force staff, a substantial number of parole agents expressed the feeling that it was the parole agent, not the supervisors or administrators, nor even the Adult Authority, who was "blamed" if a parolee got into serious trouble. Yet they also felt that they were evaluated on the basis of how many parolees they can keep out of prison. Adding to this possible anxiety was the feeling, expressed by a number of parole agents, of the existence of conflict between the philosophy of the Adult Authority (which they perceived as punitive) and that of the division. Apparently, then, there is a real need to give increased support and security to parole agents, particularly those who are fairly new, with respect to the division's "new" thrust.

TABLE VIII
STAFF PERCEPTION OF CLARITY OF PHILOSOPHY
AND POLICY IN THE DIVISION
(Percentage distribution*)

QUESTION	ALL STAFF (N=268)	LINE WORKERS (N=204)	ADMINISTRATORS & SUPERVISORS (N=64)
1. Estimate how clear the philosophy and policies of your agency are.			
Very clear	6	4	13
Clear	27	24	36
Average	36	36	34
Unclear	21	25	11
Very unclear	10	11	6

*Column totals may not equal 100% due to rounding.

The Task Force found that, in spite of its apparent generally favorable influence on overall parole outcome, the existence of the Work Unit Program caused some dissension among parole agents supervising Conventional caseloads. As indicated earlier, most parole agents considered assignment to a Work Unit caseload as a promotion, not just a lateral transfer. In addition, they have seen the figures on parole outcomes showing that agents with the smaller caseloads are really not much more successful than those

with the much larger Conventional caseloads. As a result, many feel that the total divisional caseload should be redistributed so that caseloads would be more or less equalized. To accede to this feeling without further research might prove to be a mistake--a step in the wrong direction--but the fact that the feeling is there does constitute a warning that some action should be taken. The ultimate answer probably lies in continued intensive research to determine more precisely than is now known what kinds of offenders can profit most by assignment to caseloads of various sizes, and what types of supervision are most effective for different types of offenders. It is very likely that some parolees will profit by intensive supervision, while others would fare better under less direct methods; some need help with environmental problems and others do not; still others would profit by frequent contacts whereas others would not. Research would indicate the number and kinds of units that would best meet the needs of different types of parolees. For the Department of Corrections to move in this direction will, of course, require the understanding and the help of those who draw up the budgets and those who approve them.

One impediment to implementation of the division's mission is the small, but statistically significant, minority of parole agents who consciously oppose the principle of keeping as many parolees out of prison as is possible within reasonable limits of public safety. Task Force staff, in interviews with parole agents, found an estimated 15% to 20% who contended that the adult parole system was not providing adequate protection to society under present policy. In light of the steadily declining number of new felonies committed by parolees over the past five or six years, it is difficult to understand the reasoning behind this point of view; but nevertheless, it continues to exist. To staff conducting the interviews, this point of view seemed to reflect, not the factual situation, but rather a personal feeling that "wrong-doers must be punished", and that the most appropriate place for law violators is in prison. A few of these parole agents seemed to consider themselves to be strictly law enforcement officers rather than helping agents, and even believed that they should carry guns in their work, which is contrary to agency policy. Removal of this impediment would seem to require either a thorough reorientation of the parole agents involved or their release, so that they might seek employment in more compatible lines of work.

While it is true that someone at the top of any organization must have the ultimate responsibility and authority to make policy decisions, it is also true that the greater the participation in the decision-making process on the part of those delivering services, the more committed they will be to their tasks. The Parole Task Force questionnaire included an item on this matter, and the divisional field staff were asked to estimate the degree of their participation in the decision-making process. The results are presented in Table IX. While the responses of the supervisors and administrators are slightly weighted toward the upper end of the scale, line staff responses are heavily weighted toward the lower end. Fully 58% of the line workers, and 30% of the supervisors and administrators, claimed that they had little or no voice in decision-making. These responses reveal rather strong feelings among line staff that they are left out of the decision-

making process, and these feelings constitute a threat to the quality of the agency's delivery of services.

TABLE IX
STAFF PERCEPTION OF EXTENT
TO WHICH THEY HAVE A VOICE IN DECISION-MAKING
(Percentage distribution*)

QUESTION	ALL STAFF (N=268)	LINE WORKERS (N=204)	ADMINISTRATORS & SUPERVISORS (N=64)
1. Estimate to what extent you have a voice in the decision-making of your agency.			
Very strong	6	4	10
Strong	18	14	29
Fair	26	24	32
Little voice	30	32	25
No voice	21	26	5

*Column totals may not equal 100% due to rounding.

The point at which parole agents said they felt the greatest degree of conflict between policies of the division and policies of the Adult Authority was the revocation process. In Chapter VII, recommendations are made for certain changes in the Adult Authority's revocation procedures, and these changes, if adopted, should alleviate a part of this conflict. It must be borne in mind, however, that the difference between the proper functions of the Adult Authority and those of the parole agents will naturally result in (sometimes serious) differences of opinion on specific cases; and this can occur when neither side is actually "wrong".

Another problem area of the division's mission is being engendered by the changing characteristics of adult felons committed to the Department of Corrections by the superior courts of the State. In a study referred to earlier, the Department's Research Division found that those committed over the past decade are becoming younger, have more prior offenses, have used weapons more frequently in their offenses, started breaking the law earlier in their lives, and so on. Thus, inmates released to parole over the past few years are tending to be more impulsive and assaultive than the parolee population of preceding years.[11]

The Work Unit Program, started in early 1965, with its smaller caseloads and more intensive supervision (caseloads are set at 35 compared to an average of 70 for Conventional Units), seems to have dealt successfully with this phenomenon to date. However, inadequate financial support for

the WU Program is now forcing the division to place a higher and higher percentage of the parolee population in Conventional Units and a smaller and smaller percentage in Work Units. In 1965, 56% of the parolee population was in Work Unit caseloads and only 44% in Conventional caseloads. By June 30, 1969, 48% were in WU caseloads and 52% in Conventional caseloads; and by June 30, 1970, the 1965 figures had been exactly reversed. This forced redistribution of the parolee, due to inadequate finances, into much larger caseloads could eventually result in reversing the "success rate" of the division. On the other hand, the fact that the Conventional Unit success rate caught up with and is now virtually identical with that of the Work Unit Program suggests that caseload size is not the sole factor in determining parole failure or success. Rather, it is now commonly accepted by correctional authorities that it is the nature and quality of treatment efforts, and their relevancy for individual offenders, which are the key factors in program effectiveness. In short, while excessive caseload size hamstrings any meaningful rehabilitative or surveillance efforts, differential handling and individualized treatment are far more important than the number of clients.[12] As the President's Commission on Law Enforcement and Administration of Justice concluded in 1967:

> "Those experiments with reduced caseloads have shown that to reduce recidivism requires classification of offenders with differential treatment for each class."[13]

The Youth Authority's Community Treatment Project and recent Increased Parole Effectiveness Program, discussed in Chapter III, are viewed as progressive steps in this direction. While caseloads of 70 are well above the standards set by virtually all recognized correctional authorities[14] and 40% above the mandatory maximum limit for probation subsidy programs,[15] the California Department of Corrections should strive not simply to reduce more of its caseloads, but also to develop more sophisticated strategies of differential treatment.

Mention has already been made of the difficulty, as well as the vital importance, of recruiting members of racial and ethnic minorities for the adult parole system. Task Force staff view the increased hiring of minority group members who can effectively communicate and work with the State's growing minority population is crucial to the further progress of the system. Private industry, faced with the same problems, has resorted to programs very similar to the trainee and parole aide programs of the parole division. As mentioned in the Probation Task Force Report, such programs often seem quite costly in terms of immediate returns, but their real value lies in long-range results. If California's adult parole system is going to be relevant and effective in dealing with changes in the broader society, as well as in the parolee population, it is imperative that these forward-looking programs which facilitate greater hiring and training of minorities be budgeted for continuation and expansion.

Recommendations

21. In view of the heavy pressures exerted on parole agents as a result of both volume and program expansion, they should be given continuous and explicit support and assistance at the level of their major decision-making responsibility--the application of philosophy and policy to the specific case.

22. A strong and continuous effort should be made to develop much greater participation by all staff in the decision-making process, both as to expression of opinion on important issues and as to feedback to staff regarding the reasoning behind decisions made.

23. The California Department of Corrections should establish an overall caseload standard at least equal to that of probation subsidy programs (substantially below 50), but should at the same time develop more sophisticated strategies of differential treatment.

24. Parole agents should be given every possible encouragement to make recommendations completely consistent with their honest opinions in cases up for revocation hearing. Whenever a parole board decides contrary to staff recommendations, the board should indicate the basis for its decision.

25. The California Department of Corrections should expand its efforts to hire, train, and promote minority group members.

IV. PERSONNEL MATTERS

Recruitment

One of the most important recruitment issues is the one already touched on in the preceding section--the recruitment of staff from minority cultures and ethnic groups. But the problem of recruiting correctional staff is actually much broader than that. A study made by the Harris Poll a few years ago showed that only a very small fraction of young people today are interested in entering the correctional field as a profession because the work is too difficult and frustrating, and the rewards are inadequate. Interestingly enough, when the division's field staff were asked, "Would you recommend corrections as a career to a young person?" 73% of 204 parole agents and 81% of 64 supervisors and administrators said "yes", 10% of the agents and 8% of the supervisors and administrators said "no"; the balance of both groups were "not sure". Thus the great majority of those with experience in the field would recommend it to others, and this suggests the need for vigorous support of programs such as student professional assistants and correctional casework trainees, to give young people a chance to judge for themselves after having had some actual experience. It also suggests the possibility of a staff position at the departmental level which would be devoted full-time to working with high schools and colleges to inform students

of the many kinds of job opportunities in corrections and to serve as a recruiter for existing vacancies. This staff person could also advise interested students and others on the areas of knowledge with which they should become familiar before taking the Personnel Board examinations for various correctional positions.

Promotions

When asked "Are you basically satisfied with the promotional system in your agency?", 71% of line staff and 63% of supervisors and administrators said "no". To conclude that all of those persons dissatisfied were those passed over for promotions or were malcontents would be an oversimplification - although it is conceded that some of the expressed dissatisfaction may come from this source. Interviews with staff elicited a number of specific complaints about the promotional process. Some staff felt that too much emphasis was placed on a person's ability to pass written tests, to be articulate before a review panel, and to "pass" a supervisory evaluation which may or may not be objective. Other concerns among employees were the variation between different raters for the same position, and suspicion (justified or not) that key administrators were exerting pressure upon departmental representatives serving on oral panels to rate condidates in a predetermined manner. The amount of dissatisfaction suggests that ongoing reevaluation of the entire promotional process should be maintained, with participation by all levels of staff.

As was the case with Youth Authority parole staff, there was extremely strong support (93%) for creating the equivalent of a Parole Agent III case-carrying position so that outstanding caseworkers would not have to become administrators in order to be promoted. A clear majority (though not as high a percentage as Youth Authority staff) favored allowing workers to compete for promotional openings in other correctional agencies in the State (70%), and permitting them to transfer, with the same rank and salary, to other agencies (57%).

In-Service Training

In a professional organization, the in-service training program serves three purposes, two generally recognized, and one frequently overlooked: (1) orientation of new staff or staff recently assigned to new responsibilities; (2) continuing education of staff in their profession; and (3) the development of staff through the exchange of ideas and experiences, of common convictions, goals, and methodology. Without such a program, provided regularly in sufficient quantity and quality, new or recently assigned staff will rapidly become "stagnant", all staff will tend to fall behind on recently developed knowledge in their field, and the various units of the agency will tend to "ride off in all directions" rather than pursuing commonly perceived objectives through well-tested methods.

While the parole division has an in-service training program, both the quality and the quantity appeared to be somewhat spotty. Sixty-three percent of all staff indicated that training was ongoing; 53% felt it was relevant; and only 19% said it was individualized. Of the 86% reporting that they had received any type of in-service training, roughly one-half received 1 or 2 hours per month and only one out of five received a full hour or more per week. The recent expansion in case volume and in program diversification makes it all the more important that the training program be strengthened and intensified. One possibility that should be given serious consideration is that training capabilities might be increased by pooling the resources of the Department of the Youth Authority, the Department of Corrections, and other correctional agencies in the State. Another is that funds be budgeted to send selected members of staff, on a regular basis, to institutes and seminars established to train "trainers". These trainers could then be used to upgrade the training techniques of supervisors and administrators with ongoing in-service training responsibility. Generally speaking, the content of training can better be acquired at institutes and seminars established for that specific purpose.

Recommendations

26. The Department of Corrections should develop its own fully staffed recruitment program.

27. Funds should be budgeted and approved to allow for substantial expansion of trainee and parole aide programs.

28. Every effort should be made to re-vitalize and strengthen the department's in-service training (or staff development) program.

29. A plan should be developed and funded for the systematic, specialized training of staff with in-service training responsibilities.

In addition, Recommendations 6 through 9 and 16 in Chapter III on the California Youth Authority are also applicable to the California Department of Corrections.

V. A LOOK AT THE FUTURE

In order to consolidate and expand gains made by the Parole and Community Services Division during the past five or six years, and to avoid the possibility of losing its present momentum toward an increasingly successful correctional program, several aspects of the division's program need substantially increased financial support. In an undated memorandum addressed to the California Council on Criminal Justice, entitled "Problems and Needs", a copy of which was provided the Parole Task Force in October, 1970, the Department of Corrections listed a number of problems and what was needed

to alleviate them. Three of these "problems and needs" are particularly pertinent to this discussion and will be quoted verbatim:

"Problem

To increase public protection by strengthening parole supervision. A new system, called the Work Unit Parole Program was introduced in 1964 [sic], which strengthened parole supervision and increased parole success.

Need

The Work Unit Parole Program is limited to the supervision of less than half the adult male felons. The need is to place the entire felon group under Work Unit parole supervision.

Problem

Inmates leaving prison on parole and parolees having problems frequently require temporary support and assistance to make their adjustment in society.

Need

Fifty-bed Community Correctional Centers strategically located throughout the State will establish a more orderly and success-prone transition from prison to community living for selected parolees and inmates. Economic and program support will be provided at these centers, and a portion of the center will be used for work and training furloughs.

Problem

A large percentage of the Department of Corrections inmate and parolee population are minority group members who live in poverty areas. In working with individuals from this population, the Department confronts communication barriers and client-worker cultural differences which are serious obstacles to client rehabilitation.

Need

In order to increase the effectiveness of Corrections in this difficult area, the following resources are required:

1. Parole Agent Assistants who are recruited from poverty areas and have experience and communication skills in working with minority group members.

2. Employment of Community Organization Specialists to develop training programs for Parole Agents

regarding minority group relations and community resources, the specialist to act in a liaison capacity between the Parole Division and the indigenous groups and local community organizations.

3. In recent years emergence of volunteer organizations and self-help groups in the field of corrections represents a community resource in treatment of parolees, including emergency housing, family subsidies, and narcotic and alcoholic recovery programs. Contracting for services with these organizations will result in better parole outcome."[16]

In addition to the three quoted above, there are two other "problems and needs" requiring attention if California's non-institutional corrections programs are to be even better in the future than they are in the present.

Problem

As a result of many factors, the "glue" that holds the parole division together is beginning to loosen. While the far-flung staff of the division seem, in general, to have a good idea of what is going on in the division's program, many raise questions as to why or how. Doubts about "why" arise from inadequate two-way communication, and those concerning "how" result from inadequate orientation and on-the-job training.

Need

To maintain a unified (not "uniform") approach to new and expanded programs, it is requisite that every individual with any kind of responsibility for implementation of those programs have two things: (1) understanding of, and belief in, those programs; and (2) fundamental knowledge of the theory on which the programs are based and of the recommended methodology for their implementation. To meet the first need, there must be continuous, open, two-way, participatory communication. To meet the second requires a greatly expanded, and more continuous, orientation and in-service training program.

Problem

As the rehabilitation and reintegration programs for offenders become a larger and larger part of the corrections system in California, the rigid demarcation between State and local jurisdictions becomes more and more unrealistic. Sometimes the best (and most effective) State programs and the best local programs are functioning in the same locality, while the weakest of each is functioning in some other locality.

Need

There is a need to find some way of making the very best service, whether provided by a State or by a local agency, available in every county of the State. Therefore, there is a need for permissive legislation to be enacted permitting State and local corrections agencies to contract with one another for provision of rehabilitative and reintegrative services in a given locality. Such legislation could significantly reduce unnecessary duplications, increase the utilization of the most effective elements of both State and local agencies, and reinforce the present momentum toward reducing the probability of continuing or renewed illegal behavior by the system's clients.

VI. SUMMARY

This chapter has described the system of adult parole in California. Some of the major Task Force findings are as follows:

1. As is true of the California Youth Authority, the Parole and Community Services Division of the California Department of Corrections is handicapped by its large size, its traditional chain of command, and especially by its multi-layered administrative structure. Within this type of bureaucratized setting, many of the problems observed in the Youth Authority were also observed in the adult parole system. Operations are hindered by poor communications, little or no voice in important decision-making matters, and lack of clear statements of policy and philosophy.

2. The adult parole staff believes that the Adult Authority is working at cross-purposes with the division. (This was also a pervasive belief among Youth Authority parole staff vis-a-vis the Youth Authority Board.) The philosophy of the Adult Authority is seen as being too punitive and retributive. The greatest area of conflict is seen to lie in the parole revocation process which is also the greatest source of conflict between the Youth Authority parole agents and the Youth Authority Board.

3. Despite a recent statement in the administration's policy, to retain parolees in the community as long as possible, not all of the staff subscribe to it. There is a definite split within the staff among those who view parole primarily in "law enforcement" terms, and those who view it primarily in terms of "service". The former group believes that the administration's posture is too permissive, while the latter group whole-heartedly endorses it.

4. The division's Work Unit Program was designed to provide more effective supervision by reducing caseloads. Since its inaugur-

ation, violation rates, due to the commission of new crimes, have been decreasing. However, the same trend has also been observed in the division's Conventional Units, suggesting that the existence of the Work Unit Program has had an overall salutory effect upon parole service. However, some dissension has been noted among agents supervising Conventional caseloads primarily because assignment to the Work Unit Program is considered to be a promotion and not simply a lateral transfer.

5. As was true for the Youth Authority parole staff, the adult parole division staff was found to be dissatisfied with promotional opportunities. In both systems there is an overwhelming endorsement of the idea of creating a Parole Agent III case-carrying position, which would allow outstanding parole agents to be promoted without having to go into administration.

6. Again, as was true of the Youth Authority staff, there is a marked underrepresentation of adult parole agents drawn from various racial and ethnic groups. Approximately 80% of the adult parole staff is white, and yet 50% of California's parolees are non-white.[17] The division has been attempting to recruit agents from the various racial and ethnic groups, but has not as yet had a great deal of success. It is also attempting to expand its program of recruiting para-professional persons, but as yet it operates only on a small scale.

FOOTNOTES

[1]Department of Corrections, Parole and Community Services Division, A Report to the Legislature on the Work Unit Program, State of California (Sacramento, December, 1970), p. 8.

[2]Figures as of March 31, 1971, obtained from Statistical Unit, California Department of Corrections, on June 7, 1971.

[3]Department of Corrections, Research Division, A Study of Inmates at Intake -- 1960-1969, State of California (Sacramento, March, 1971).

[4]Department of Corrections, Parole and Community Services Division, op. cit., pp. 1-4.

[5]For additional programs, see Chapter VI, "Community-Based Correctional Programs".

[6]Department of Corrections, Parole and Community Services Division, op. cit., p. 5.

[7]Ibid.

[8]Ibid., Table A3, p. 12.

[9]Ibid., Table B3, p. 16.

[10]Ibid., pp. 25-26.

[11]Department of Corrections, Research Division, op. cit.

[12]Don Gibbons, Changing the Lawbreaker (Englewood Cliffs: Prentice Hall, Inc., 1965); Robert Carter and Leslie Wilkins, "Some Factors in Sentencing Policy", Journal of Criminal Law, Criminology and Policy Science, Vol. 58, No. 4, 1967), pp. 503-504; Department of Youth Authority, The Status of Current Research in the California Youth Authority, State of California (Sacramento, July, 1970), p. 5.

[13]President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections (Washington: U.S. Government Printing Office, 1967), p. 29.

[14]Ibid., p. 189; Department of Youth Authority, Standards for the Performance of Probation Duties, State of California (Sacramento, February 1970), p. 11.

[15]Department of Youth Authority, Rules, Regulations, and Standards of Performance for Special Supervision Programs, State of California (Sacramento, revised October, 1969), pp. 4-5.

Footnotes

[16]Department of Corrections, "Problems and Needs", a memorandum addressed to the California Council on Criminal Justice (undated).

[17]Department of Corrections, California Prisoners: 1968, State of California (Sacramento, 1969), p. 66.

CHAPTER V

THE CIVIL NARCOTIC ADDICT PROGRAM

I. INTRODUCTION

California's Civil Narcotic Addict Program is an unusual and complex operation whose basic function is the control and treatment of narcotic addicted individuals. Jointly responsible for the program are the Narcotic Addict Evaluation Authority (NAEA), the California Rehabilitation Center (CRC) and its affiliate branches, and the Narcotic Addict Outpatient Program (NAOP).

In this chapter, the job of the Task Force staff was to provide a general assessment of the NAOP. Meeting that requirement called for a somewhat different approach from that used in other parole component tasks. This was due to the fact that the program has undergone many changes since its inception ten years ago, and even now is feeling the impact of recently amended law and a shift in philosophical emphasis and program objectives. Task Force staff saw these changes as good and necessary, but many of them are so current that it was not possible to measure their effectiveness at the time field work was in process. By the same token, there seemed little to be gained by examining in any detail past practices which presumably would soon give way to new ones. (This is, of course, an oversimplified statement. Change normally takes place only over a period of time, and even then not without considerable overlap between the old and the new.) Based on these conditions, it was concluded that the best course was to examine the differences between past and present program characteristics, then to assess the significance of these differences in terms of current program operations.

The chapter will be divided into four parts: (1) a condensed review of the history of national narcotic laws (as groundwork for the main discussion); (2) a review of California law in connection with civil commitment provisions; (3) an overall description of the Civil Narcotic Addict Program; and (4) a description and discussion of NAOP structure and function.

II. NARCOTIC LAWS AT THE NATIONAL LEVEL

In 1932, the Uniform Narcotic Drug Act was promulgated by the Commissioners on Uniform State Laws. This Act is still in use, and except for California and Pennsylvania, has been adopted by all states, though with various kinds of modifications through the years.[1,2] Arizona, for example, inserted a section providing for confinement and treatment in the state mental hospital of persons convicted under the Act.[3] Delaware inserted sections relating to confinement and treatment of addicts, and manufacture, possession, and sale of hypodermic needles.[4] Florida provided for examination and treatment of habitual users of narcotic drugs, and in 1970 passed an entirely new Act relating to drug abuse.[5,6] The purpose of the 1970 Act is "to provide a comprehensive program of human renewal for drug dependents

and rehabilitation centers and after-care programs . . . [and to] protect society against the social contagion of drug abuse and to meet the needs of drug dependents for medical, psychological and vocational rehabilitation, while at the same time safeguarding their individual liberties."[7]

During the past decade, three very important pieces of drug legislation were enacted at the Federal level. One was the Drug Abuse Control Amendments of 1965 whose main provisions are "the limited manufacture, sale, and distribution of any controlled drug to certain designated classes of persons . . . and requirement . . . that inventories be taken and records of receipts and dispositions be maintained."[8]

The second was the Model State Drug Abuse Act. "Under this Act, which automatically subjects a drug to State control upon its designation under the Federal law, State and Federal authorities could immediately combine to control the drug."[9]

Third was the Narcotic Addict Rehabilitation Act of 1966 which authorized $15 million for each of the following three years for grants to state and local governments for narcotic programs and facilities.[10]

The purpose in citing these Federal Acts, and the varying state accomodations to the Uniform Narcotic Drug Act as well, is to emphasize that "the nation's approach to narcotic addiction has changed fundamentally in the past few years."[11] For even if the application of penal sanctions still predominates in most jurisdictions, the effort toward the greater understanding and better control of addiction is increasingly evident.

This trend is further exemplified by the President's Commission on Law Enforcement and Administration of Justice statement that "the enactment of laws authorizing or compelling commitment of drug addicts for purposes of treatment has been the most important development in recent years in the drug abuse field."[12] This point of view was based on the recognition that addiction is a medical illness and that customary methods of dealing with it were proving most unsatisfactory.

In some part, what accounted for poor results in early addict programs was insufficient provision for follow-up treatment and the tendency of volunteers to abandon treatment efforts long before any benefits could be derived from them.[13] It was the effort to correct these and related problems which gave birth to the concept of "civil commitment", a term defined by the President's Commission on Law Enforcement and the Administration of Justice as follows:

> "Civil commitment is generally understood to mean court-ordered confinement in a special treatment facility followed by a release to an outpatient status under supervision in the community, with provision for final discharge if the patient abstains from drugs, and for return to confinement if he relapses."[14]

III. THE CALIFORNIA CIVIL ADDICT PROGRAM: LEGAL HISTORY

California was the first state to initiate civil commitment procedures when the legislature enacted the original law establishing the California Civil Addict Program under direction of the California Department of Corrections and the Adult Authority for the commitment and treatment of narcotic addicts in 1961.[15] At that time, the main provisions of the act were as follows:

1. civil commitment for treatment

2. establishment of the California Rehabilitation Center to house those committed

3. a mandatory aftercare program, including reduced caseloads, chemical testing to determine narcotic use, and authorization for a halfway house

4. a mandate for research into the rehabilitation of narcotic addicts.[16]

On the premise that legally enforceable commitment is the only way to get addicts to undertake treatment, and to make post-institutional treatment available to them, the act included:

a. a program of civil commitment for treatment of volunteers who believe themselves addicted or about to become addicted, for non-volunteers identified as narcotic addicts or in imminent danger of addiction, and for persons convicted of misdemeanors and certain felonies whose basic problem appeared to be narcotic addiction or excessive use of narcotics.

b. a compulsory period of legal control (institutional and outpatient) for therapeutic reasons.[17]

Several amendments to the original law have been made since 1961. In the Supreme Court's decision in Robinson v. California in 1962, the law's interpretation of addiction as a crime was struck down as unconstitutional, and legislative amendment was accordingly made.[18] In 1963, many of the indices of criminality found objectionable by the California Supreme Court In re De La O were removed from the original statute. At that time also, in addenda to the De La O decision, the Narcotic Addict Evaluation Authority was established and provision made for administrative responsibility for the release program to be transferred from the Adult Authority to the Narcotic Authority. In 1965, legal provision for the law was removed from the Penal Code and placed in the California Welfare and Institutions Code.

Significant statutory revisions made in 1970 are as follows:

1. The deletion of the six months minimum confinement period prior to release to outpatient status

2. The authorization to discharge civilly committed addicts after two years (instead of the original three) abstention from narcotics in the community and otherwise compliance with conditions of release

3. Authorization for civilly committed addicts to participate (on a voluntary basis) in approved Methadone Maintenance Research Programs. In addition, Senate Bill No. 1271, approved by the governor and filed with the Secretary of State in September 1970, provides in Section 5617:

   a. that a county mental health service may include a program for the continuing treatment of narcotic addiction by methadone, and

   b. that the Department of Mental Hygiene shall establish guidelines for the arrangements between local mental health facilities and county probation departments enabling methadone maintenance to serve as an alternative to commitment to the California Rehabilitation Center in Corona.

4. Assembly Bill No. 472, approved by the governor and filed with the Secretary of State on June 1, 1970, provides that where release to outpatient status is warranted the Director of Corrections shall so certify to the Authority. If certification has not occurred in the preceding twelve months in the anniversary month of the commitment of any person committed under Chapter 167 of the Welfare and Institutions Code, his case shall automatically be referred to the Authority for consideration of the advisability of release in outpatient status.

As will be discovered at a later point, these statutory changes substantially influenced program goals and directions.

IV. CALIFORNIA'S CIVIL ADDICT PROGRAM: ITS FUNCTIONS AND PURPOSE

Administratively, the Civil Addict Program provides that the NAEA, CRC, and NAOP shall be separate bodies. However, their respective functions are highly interdependent as is implicit in the Welfare and Institutions Code which states: "The narcotic detention, treatment and rehabilitation facility referred to herein shall be one within the Department of Corrections."19

The issue of interdependence is an important one. For even though the Civil Addict Program is a multiple operation, any action taken at one level will automatically affect the remaining portions of the program. The following condensed description of respective NAEA, CRC, and NAOP responsibilities will help to illustrate the point.

CRC staff prepare case history data on inpatients which are subsequently used by institutional officials for classification and treatment purposes. In addition, CRC staff provide treatment and counseling for institution residents. Both individual background information and treatment results are used by NAEA as an aid in making release decisions. Although CRC staff are administratively responsible to institutional authorities, their work is generally based on tasks and policies articulated by NAEA, and on the needs of residents in terms of release preparations.

NAOP staff (field parole agents) work with releasees or outpatients in the community and are charged with the responsibility of supervising clients and keeping records on them. When necessary, they also make appropriate reports to NAEA for consideration of return to the institution, or any other factor which would modify the individual's current outpatient plan. The parole staff is also under separate administration, but the impact of NAEA's broad range leadership role is recognized, particularly as it relates to the retention of individuals on outpatient status for long periods of time.

In the performance of its duties, NAEA, as the paroling board, draws heavily upon the services of both institution and parole staff. Although the board has statutory responsibility for making release, revocation, and discharge decisions and policies, it has no statutory responsibility for the administration of the Civil Addict Program itself. However, through action on cases being considered for release or return, the Authority does contribute indirectly to the making of administrative policies governing the control, treatment, and release of outpatients.[20]

It should also be noted that the three bodies share a common purpose, namely:

> "the receiving, control, confinement, education, treatment, employment, and rehabilitation of persons under the custody of the Department of Corrections or any agency thereof who are or have been addicted to narcotics or who by reason of repeated use of narcotics are in imminent danger of becoming addicted."[21]

It is hoped that this discussion will convey the intended message, specifically that the Civil Addict Program is closely integrated as to function and provides, of itself, a given continuum of services.

Of Special Note

At one juncture, the Task Force staff strongly felt that the total addict program should be removed from the jurisdiction of the California

Department of Corrections, and such action was tentatively recommended. The main rationale was: (1) that there was no true provision for voluntary entry to the program inasmuch as "volunteers" are locked into the system immediately upon acceptance, with no option for later withdrawal other than at the expense of paying legal penalty; (2) there appeared to be undue disparity as to length of institutionalization between non-criminal addicts and criminal addicts; and (3) narcotic addiction is a medical problem, and except for addicts who do or have constituted a clear danger to society, should therefore be treated under medical rather than correctional aegis.

On further reflection, Task Force staff reversed its decision for the following reasons:

1. There has been recent statutory provision which provides that a person committed to the Civil Addict Program may be released from the courts to the community if it is determined by appropriate CRC-NAOP staff that the individual does not require medical or therapeutic treatment in the institutional setting. This substantially reduces concern about voluntary commitments.

2. Even at the time field work was in progress, but also since that time, amended legislation and program developments have headed the entire Civil Addict Program in a much more flexible direction. For the addict, the issue is now much less a matter of either/or, but rather one of: "What are your particular needs, and how can we best help you with respect to those needs?"

   Very likely, this is an oversimplified version of current developments. Nevertheless, according to the NAEA, the intention is to make every effort toward increased program flexibility and more individualized client management.

3. Task Force staff would still maintain that not all addicted persons "need criminal or civil process for medical care to be made available to them."[22] However, the fact that eighty percent of the Civil Addict Program's addicted clients are also felons cannot be ignored. Were the program to be removed from CDC jurisdiction, frequent recourse to correctional procedures would still be necessary. Finally, any recommendation for change should be accompanied by a specific plan as to where the program might be better located. Developing such a plan was not within the purview of the Task Force, and would require extensive time and study far beyond the scope of the present study.

V. THE NARCOTIC ADDICT OUTPATIENT PROGRAM

Administrative Structure

Chart I shows the present organizational structure of the Narcotic Addict Outpatient Program (NAOP). In brief, there are two regions in Southern California exclusively operating civil addict outpatient programs. In addition, there are two NAOP units in Northern California as well as individual caseloads in other portions of the State which are directly responsible to the regular parole regional administrators in those areas. The regional administrator of Region V has a functional responsibility of administering the overall NAOP operation; this responsibility includes instruction of all NAOP agents on NAEA policies and requirements, planning training programs, incorporating policy changes in the manual, and general coordination of the program. However, the deputy director of the Parole and Community Services Division is the person with direct line authority and responsibility over the entire Narcotic Addict Outpatient Program.

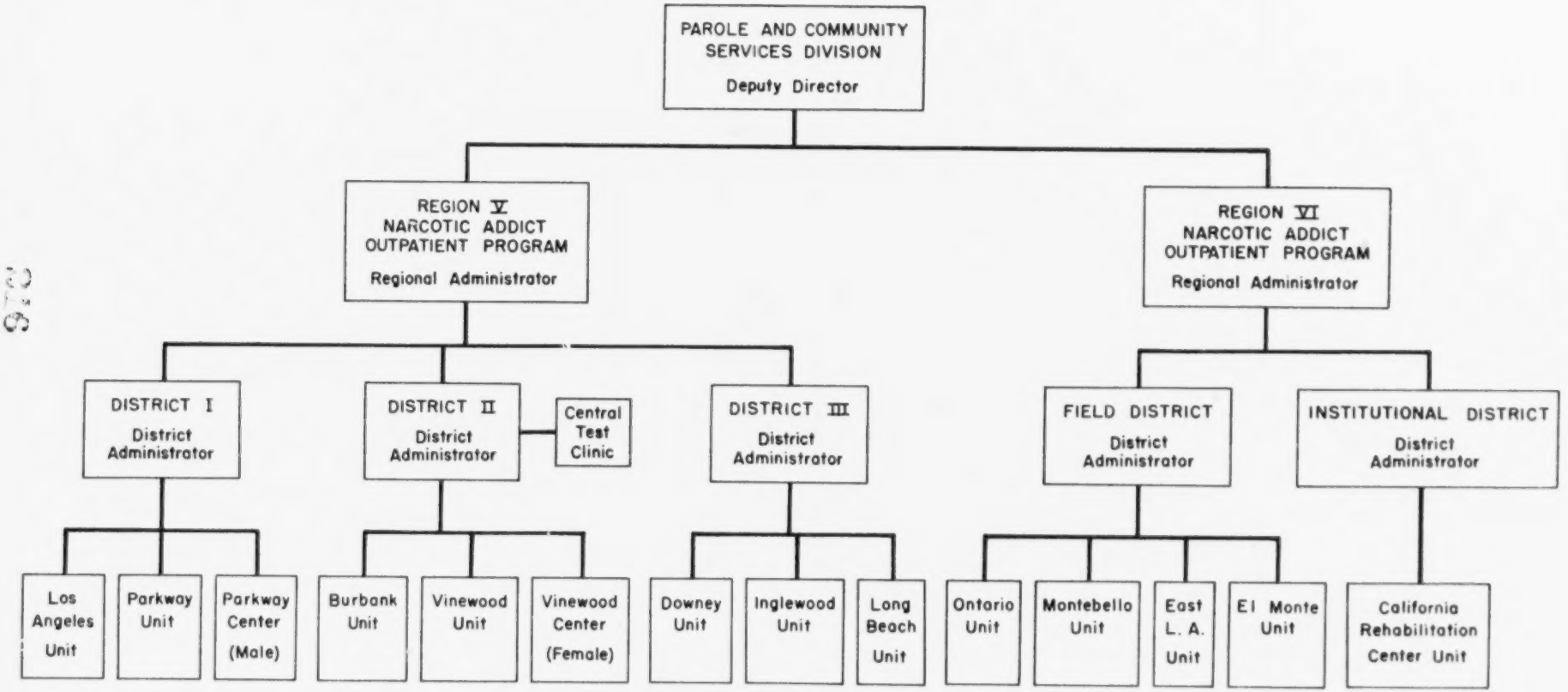
This organizational structure poses a dilemma. On the one hand, a number of agents felt that there was too much autonomy and individuality among the various units and caseloads, due partly to the lack of a single administrator whose sole responsibility would be the overseeing of the NAOP. The NAEA also commented on the "present fragmented situation" and suggested that a single administrator might provide more coherence to the program. In short, the present organization of the NAOP is presenting a problem of coordination and uniformity of practices and procedures. On the other hand, however, establishment of a separate administrator for NAOP would add another bureaucratic layer in a structure that this Task Force has already questioned in Chapter IV. It would also run counter to a major thrust of the System Task Force Report which stresses the need to "flatten" traditional hierarchical pyramid structures.

The feeling of the Parole Task Force is that the present organizational structure is sound; but ongoing care must be taken to promote a teamwork atmosphere which will facilitate coordination and sufficient uniformity of practice to assure uniform treatment for all outpatients. The concept of functional responsibility, while not an ideal one in this situation, is a common organizational phenomenon and one that can and often does work effectively.

NAOP does have official provision for a research function whose potential for guiding program direction and for influencing program effectiveness should be of sizeable magnitude. Unfortunately, although the NAOP Guide fully endorses the importance of measuring program effectiveness, it is apparently not possible at the present time to provide ongoing evaluation of the total addict program. Along with the rapidly changing program units and specialized problem areas, it seems likely that inadequate funds for the research function may also be a limiting factor. Should this in fact be a major determinant, the problem should promptly be rectified. In view of the desperate need for the development of a precise body of knowledge con-

CHART I

NARCOTIC ADDICT OUTPATIENT PROGRAM: ADMINISTRATIVE STRUCTURE*



*In addition to Regions V and VI, which are totally NAOP, there is one NAOP unit in San Francisco, one unit in Oakland, and individual agents with NAOP caseloads scattered throughout the rest of the State. The Region V Administrator has functional responsibility for the total NAOP operation.

cerning drug addiction and accompanying unlawful behaviors, the allocation of ample funds for research operations seems imperative.

Another deficiency within the program is lack of administrative provision for a community relations unit. This is an unfortunate oversight since parole agents and addicts are both extremely dependent on how the community responds to their presence in the community and on the degree of help it is willing to extend. In a program of this sort, administrative structure should quite definitely include a community relations position.

Finally, most parole agents interviewed said that the positioning of authority, as it now stands, leaves too little room for release decision-making at the service level. The immediate reference was to the fact that authorization for entry into NAOP comes from the Authority rather than from persons most intimately familiar with individual clients.

This kind of issue is not new to the correctional field, but it is one for which no really satisfactory solution has yet been found. In the present instance, the Authority's counter argument was: (a) that it is legally responsible for release decisions; (b) that there are monthly combined CRC, NAOP, and NAEA staff meetings in which program needs are jointly discussed and solution sought, and (c) that the Authority's overview of the entire program places it in good position to introduce and implement new policies and procedures, and that its suggestions have moreover been favorably received by program staff.

There would appear to be valid concerns on both sides. The Authority has indeed made valuable contribution to the overall Civil Addict Program. It was, for example, at its instigation that a new law was introduced providing for the retention of "limited placements" in the community in an appropriate facility for treatment (as opposed to straight institutional return). The new law will greatly facilitate continuity of treatment for those cases where extended institutionalization is not required. On the other hand, institutional and parole agents normally do have the most intimate knowledge of individual case needs and problems.

In weighing these several factors, Task Force staff concluded that a possible aid to all parties might be to formalize the monthly combined staff meetings by establishing a liaison committee whereby institutional, Authority, and parole staff could work on mutual problems and concerns.

Recommendations. 30. The State should provide funds adequate to the development and continued operation of a meaningful and efficient research program for the NAOP.

31. A community relations program should be incorporated in NAOP's organizational structure.

32. A liaison committee concerned with decisions concerning clients should be formed with representatives from both the Authority and program staff.

Underlying Philosophy

Any program designed to help people requires a philosophical base for the development of treatment methods and techniques. At the time field work was in process, philosophy as expressed by the then existing NAOP Parole Manual was as follows:

> "The basic philosophy of the Narcotic Addict Outpatient Program is to provide the addict with help so that he can maintain a drug-free adjustment as he moves back into the community from the institutional setting.
>
> ". . . Reinstitutionalization of addicts who are unable to utilize their release experience and who have used narcotics or are withdrawing from the program to the extent where re-addiction or criminal involvement seem imminent should be an integral part of the rehabilitative process. Maximum control can be achieved by the prompt isolation of the addict and his return to a drug-free environment. The removal of the addict from the community prior to his re-addiction to narcotics or his involvement in criminal activity should be considered a prime goal in accord with the philosophy designed for control, treatment and rehabilitation."[23]

Task Force staff reaction to this latter statement was that the emphasis on institutionalization was more suggestive of punishment than treatment, and that at least in part it went contrary to Section 3000 of the Welfare and Institutions Code which states:

> ". . . such treatment shall be carried out for non-punitive purposes not only for the protection of the addict, or persons in imminent danger of addiction, against himself, but also for the prevention of contamination of others and the protection of the public."[24]

However, when the new NAOP Guide was issued in February 1971, it was found that institutionalization had been significantly de-emphasized and that present administrative policy much more closely reflects contemporary thought with reference to case management of narcotic addicts. The new Guide states:

> "Our objective is to keep persons committed to the Civil Addict Program in the community in such ways that they will be able to continue to remain in the community and to encourage the creation of conditions which will support the addict in his efforts to accomplish this goal."[25]

Further:

> "Inherent in an effective treatment plan is the realization that individual worth and human dignity must be pre-

served as inalienable rights of all persons. Concern for the dignity of the individual is demonstrated by our behavior in assisting the client in his effort to reach those personally valid goals which have meaning and value to him, without imposing our own prejudices and values, unless the matter involves clearly illegal acts. We must, therefore, thoroughly involve the client in planning for his own future, and avoid trying to 'run' his life for him."[26]

Parole Agent's Reaction to Administrative Philosophy and Policy

In connection with this current official statement of philosophy, Task Force staff was advised by parole staff that the NAOP Manual Revision Committee had been working on the new Guide for several months, and that feedback from all staff had been encouraged all along the way. There was, of course, no way of knowing the degree to which non-committee members took advantage of this opportunity, but there was considerable evidence that not all staff were in accord with the Committee's product.

To begin with, parole agents declared that the philosophical shift (from institutional to community-based treatment) widened an already existing gap between what was designated as the "conservative" versus the "liberal" point of view. Those of conservative bent favored the original concept of tighter controls whereas those of liberal persuasion favored administrative provision for greater flexibility in the management of narcotic addicted persons.

But the most pressing complaint--primarily among conservatives--was that the Committee had in essence issued a mandate for them to "change their thinking". The general feeling was that this is in opposition to the laws of learning. One agent stated: "People can't be made to learn. They have to make up their minds for themselves".

Administrative staff acknowledged to Task Force staff that resistance to change is causing difficulties, and advised that they had taken action to reduce philosophical polarization by matching parole agents and supervisors believed to share common beliefs and attitudes. At first blush, this seemed a good idea, but it is producing unanticipated negative results. For now, due to already mentioned unit autonomy, the door is wide open for units comprised of conservative-minded members to work in opposition to administrative policy. Moreover, it gives unit supervisors every opportunity to hire new staff whose attitudes reflect their own philosophy. This would, of course, also apply to liberal units, but in both cases it serves only to increase the professional distance between middle management and upper level administration.

Task Force staff fully endorses the philosophical stance enunciated by the Manual Revision Committee. It is very much in line with other correctional programs such as Work Furlough and Probation Subsidy, and it makes clear what the client/parole agent relationship must be if treatment plans are to carry potential for successful outcome. But it is not expected that

this endorsement will correct or even ameliorate the problems under discussion. Feelings and attitudes will change only when personal experience and training make change both attractive and congruent with personal values. As one agent put it: "If we were told what to do instead of what to think, many of our problems would cease to exist."

In a very real sense, this comment gets to the heart of the whole matter. Its implicit meaning is that the real issue is not whether parole staff are or should be entirely of one accord in their thinking, but rather that they should to the best of their ability carry out administrative policy in daily practice. Disagreement and the ability to meet the demands of the job need not be mutually exclusive.

Training Needs

Literature pertaining to drugs and the multiple manifestations of their use has been increasingly in evidence during the past several years. Today, with the advent of numerous psycho-active drugs, it is nearly impossible to read even a newspaper or magazine which does not contain one or more articles describing the adverse effect of the current "drug scene" on the American public.

Unfortunately, there is no comparable supply of information as to how best to cope with narcotic addicted individuals. Clinics designed to help such persons are increasing in number, but most work done is of necessity based on trial and error methods. For parole agents, the problem is even more complicated since they must consider the interests of both society and the addicted persons under their care. Also, although addiction is not itself a crime, most clients are both drug addicted (or in danger of becoming so), and guilty of misdemeanors or felonies. There is no known academic program designed to train narcotic parole personnel for their unique and demanding work. Yet clearly there is need for a specially tailored program whose prime objective is to produce specialists in a field of great importance.

NAOP does attempt to provide some in-service training. However, according to questionnaire data pertaining to training, less that half of fifty respondents believed the program was relevant to their needs. In interview situations, a plea for continuous and more meaningful training was voiced by NAOP staff at all levels. They cited the following as crucial training needs:

a. basic orientation to the system and its philosophical foundations

b. sharply increased specificity as to operational requirements

c. improved casework methods

There can be no question that the development of both a general and specific body of knowledge would lend guidance and credence to what at the very least is an extremely difficult job. Granting that this is easier said than done, it is not necessarily an impossible endeavor. Certainly the present state of limbo cannot be allowed to continue. As it has done in so many other instances, California could well take the lead in constructing a viable training model which would provide adequate preparation for coping with addiction and its socially unacceptable counterparts.

However, no state should tackle the job all alone, for the problem is not indigenous to any particular area of the country. Nearly all states are struggling with the same lack of vitally needed information. It seems logical, therefore, that the best approach is for California to join hands with other states and proceed in concerted fashion to discover--invent if necessary--a training model appropriate to the purpose. Only when this or comparable action is taken can job performance be upgraded and a path for orderly change be paved.

Recommendation. 33. It is recommended that California's top correctional administrators appoint a select body of persons whose sole and specific job, in conjunction with academicians and correctional and medical practitioners across the nation, is to design, within a specified but adequate period of time, a training model for those engaged in the handling of drug addiction.

The NAOP in Operation

Client Entry. The client enters CRC as an inpatient through court-ordered civil commitment procedures. In this drug-free environment, the process of detoxification is begun, along with efforts to reshape those behavioral patterns considered damaging to the client's general welfare. Originally, the required minimum length of stay at CRC was six months, but amended law, which came into effect in November 1970, deleted this provision. The Task Force views this as a very progressive step. Many persons require at least six months, sometimes more, before they are ready for release. For those who do not, the amended law now makes it possible for them to get an early start on the important business of drug-free readjustment to community living. California Department of Corrections administrative statistics show that the median stay before first release to parole in 1970 was 11 months for men and 9 months for women (compared with 36 months and 18 months, respectively, for convicted felons in state prison).

At the point where correctional counselors concur in a favorable recommendation for release consideration, and a subsequent Release Study Program and related procedures are completed, NAEA makes a release decision. If the decision is to release, the client is then eligible for outpatient supervision.

Supervision Goals. According to the NAOP Guide, there are five main program goals. They are as follows:

> "1. Maximize efforts toward dealing with the addict in the community so that periods of remission are increased.
>
> 2. Emphasis on what to do when relapse occurs with the goal of minimizing the incidence of re-addiction.
>
> 3. Distinguish between re-use and re-addiction. When relapse to addiction has occurred or the person is in imminent danger of re-addiction, some form of external control will be utilized for the protection of the addict from the extreme consequences of his uncontrolled addiction behavior.
>
> 4. The systematic production and dissemination of reliable and valid knowledge concerning the nature of drug addiction, the problems of treatment and control under current conditions and the result of our treatment and control techniques.
>
> 5. The mobilization of energy in the community (relatives, neighbors, agencies, etc.) to contain and treat the phenomenon. A long range goal is changing socio-cultural situations which foster the incidence of addiction"[27]

These goals are seen as most satisfactory with the one exception that greater specificity would be desirable. In the first and second goals listed, for instance, some examples of methods to be used would strengthen the underlying intent of the stated objective. This is easily corrected and is mentioned only in the interest of insuring that goals can and will be realized.

The Guide also provides standards for minimum case contacts with clients.[28] These appear to be adequate in number, particularly since parole agents are at liberty to increase the number of their field contacts wherever appropriate.

Treatment Methods. What is missing from the Guide, perhaps by design, is reference to treatment methods other than those used for detecting drug use. The original NAOP Manual does mention the importance of individual counseling, and goes into considerable detail regarding group counseling.[29]

Commonly known as "grouping", parole staff explained to Task Force staff that this form of treatment represents an attempt to extend institutional methods of treatment:

"The releasee's behavior is highly influenced by the people around him, whether he is participating in groups within the community or as a resident in the treatment center.

"The resident's use and impression of the group experience has been highly significant. It is appropriate, therefore, that this type of treatment not be suddenly cut off when the resident returns to the community. Treatment of the releasee is a total program encompassing the treatment center and field experience. The group experience and the releasee's adjustment to these new experiences while at the treatment center play a major part in determining his readiness for release. Therefore, the continuation of group treatment by field personnel will be an integral part of the releasee's program in the community."[30]

The NAOP Manual indicates that three types of groups will be provided for releasees:

- Reality Centered Groups: The purpose of this group, as stated in the Manual, is: "Initially, these groups will be used by the releasee for identification and carry-over of institutional culture." After a period of time, ". . . they will act as a problem-solving arena and supportive body to assist in a positive social orientation."[31] These groups are held once a week.

- Unemployed Groups: These sessions have no specific purpose other than, "areas for review during these sessions should include such things as how to look for work, how to act, dress, speak, make proper contacts, etc."[32] These groups are held only with unemployed clients, hopefully to serve as a stimulus for job hunting, as the Manual states, "If one isn't working, then one is hard at work looking for a job."[33] Counseling for unemployed clients is mandatory on a weekly basis.

- Family Groups: "Although family groups will not be a mandatory requirement, they are something which deserve considerable thought."[34]

  "Treatment of persons to whom the releasee is frequently exposed seems essential."[35]

At first glance, these provisions for group counseling appear to be sound. But in interview situations, both parole agents and clients were of the opinion that the process is much less productive than it should be. One agent, for example, made this observation:

> ". . . if we are grouping, it must be functional in relation to the agency's goals. As it now stands, grouping is not functional but diametrically opposed to some of the other practices of the workers. Specifically, it is opposed to the terms and conditions of association between clients. Furthermore, in many respects it provides the clients with an opportunity to present a united front of opposition to the parole agent and the system which he represents."

There is much to be said for this point of view. If group counseling is to be effective, it must provide an atmosphere conducive to freedom of expression. How this is to be achieved when today's parole agent becomes tonight's group leader is difficult to imagine. There is also the problem that many clients do not respond well to any of the group therapies. Insisting that they attend group sessions may produce temporary compliance, but it will not alter basic patterns of behavior. Those who volunteer for this kind of treatment stand the best chance of changed behavior.

A final comment with respect to group counseling is that this is a specialized field requiring considerable training and experience. Many agents, of their own accord, said they had had no such training and that the process made them "uncomfortable". The implications for training in this area are self-evident.

Detecting Drug Usage. Methods used by NAOP for detecting client drug usage are: (1) nalline testing; (2) urinalysis; (3) skin check; and (4) the client/parole agent relationship. Anti-narcotic testing is generally done on a surprise basis, with less than forty-eight hours notice to the client. Routine testing may be administered wherever the parole agent feels this is in the best interest of a particular client. It is expected that urine samples will be taken under the direct observation of the person obtaining the sample.

Chemical anti-narcotic tests are administered by a qualified physician and his decision regarding the results is final. The medical consultant is responsible for developing contracts with testing laboratories, keeping abreast of programs being carried out in other jurisdictions and other states, and for consultation with parole agents concerning any unusual medical aspects of a given case.

Testing objectives are as follows:

1. Deterrent of drug use
2. Early detection
3. Support of abstinence
4. Early treatment of relapse[36]

This segment of the treatment program is the prime control factor for outpatients, and was viewed by the majority of agents interviewed as the surest method of control available to them at the present time. However, Task Force staff discovered that associated psychological reactions to testing tended in many cases to violate the principle of positive reinforcement (encouragement and reward for new learning, modified behavior, etc.). Not all, but most of the clients interviewed said that they resent the testing programs. They feel that the surprise element is an unfair intrusion on their time and that it implies an unwarranted lack of faith in their own efforts against relapse. One client said: "The whole deal just makes me mad. Sometimes I go back on the stuff just to pay them back." (If true, this is unfortunate, but admittedly the statement may be of doubtful veracity.)

Comment. It is difficult to know how client attitudes of this sort can be counteracted. Like everyone else, addicts need to feel that they have worth. Yet the very act of turning to drugs suggests that they do not have a very high opinion of themselves. In addition, once addicted, many of them see drugs as the "right" way of life and are not at all interested in giving up the habit.

The implications for both addicts and the public at large are clear. Addiction is not only physically harmful but it also leads to unlawful behavior which harms society. Accordingly, there seems to be no recourse but to apply whatever controls appear most promising in efforts to reduce the incidence of re-addiction and the proclivity for continued criminal activity.

The Methadone Maintenance Program. After following the progress of New York's Methadone Program, and in anticipation of the law authorizing methadone maintenance in California, the CDC, NAEA, and NAOP, in 1970, formulated policies and criteria for addict participation in such a program. The full policy statement will be found in Appendix A.

At present time, there are approximately 130 civil addicts on methadone maintenance in California. However, ninety percent of the Civil Addict Program's population are ineligible for methadone treatment due to mixed drug use, heavy use of alcohol, and abuse of amphetamines and barbiturates. For those who do meet eligibility requirements, the Authority has stated that methadone treatment will not be introduced until every effort has been made to help them manage their lives without the aid of drugs. This same effort will be carried over into the methadone program.

Comment. There are those who feel that methadone maintenance is unwise since, like other drugs, it camouflages causative factors leading to addiction. The argument is valid, but it is also applicable to mentally disturbed persons for whom tranquilizing drugs are prescribed daily, and who otherwise would be unamenable to auxiliary treatment services. Another argument against methadone, advanced both by lay persons and many professionals, is that it is foolish to substitute one addictive drug for another.

True, methadone is addictive. But it produces less violent physiological reaction than do the hard drugs and for many addicts it eliminates the need for opiate use. Add to this the likelihood of concomitant reduction in criminal activity and the fact that methadone is applied under tightly controlled conditions, and it would seem that the advantages of methadone maintenance outweigh the disadvantages for a carefully selected group of clients.

In California, the methadone program is just getting underway, and almost certainly various changes and adjustments will be necessary from time to time. Nevertheless, Task Force staff see it as a welcome and important addition to existing treatment methods.

Program Effectiveness

The magnitude and complexity of NAOP makes it very difficult to measure program effectiveness with any precision. In the correctional field, "effective" is usually taken to mean that rehabilitative efforts have been completely successful. Yet NAOP some time ago concluded that a full-fledged "cure" for addiction is highly improbable and that a much more realistic goal was to strive for the highest degree and longest period of abstinence possible.

Toward that end, several additional provisions have been added to the original program. One of them, entitled "Suspend-Reinstatements", has been designed to permit the client's retention in the community wherever it appears that this arrangement will more effectively benefit the individual and society. Another is the "Limited Placement Program" whereby an outpatient may be returned to the institution for a period not to exceed sixty days for structured inpatient treatment, detoxification, or whatever other type of specialized treatment appears necessary.

For some time now, the main thrust of the overall Civil Addict Program has been to release increasing numbers of persons to outpatient status. The figures in Table X, supplied by the NAEA, reflect the results of that endeavor.

TABLE X
CIVIL ADDICT PROGRAM POPULATION MOVEMENT

DATE	TOTAL	INSTITUTION	ACTIVE OUTPATIENT STATUS	INACTIVE OUTPATIENT STATUS
December 31, 1968	6,235	2,856 (46%)	2,314 (37%)	1,065 (17%)
December 31, 1969	7,076	3,132 (44%)	2,867 (41%)	1,077 (15%)
December 31, 1970	8,110	2,705 (33%)	4,001 (50%)	1,404 (17%)

In comparing the 1969 and 1970 figures, it will be noted that there was a 36% increase in persons released to outpatient status in one year and an 11% increase in the proportion of clients in the community.

Other figures pointing to program achievement are as follows:

1. Out of approximately 90,000 drug offense arrests in 1970 in California, only one percent were outpatients from CRC. Of those who do return to inpatient status, only 3.5% come back on a new conviction.

2. Even considering those addicts who have been in and out of CRC several times, 59% of all outpatients have been found to be eventually capable of remaining drug-free and trouble-free for twelve months in the community.[37]

3. The rate of outpatients returned to the institution during 1970 dropped considerably. By the end of 1970, 1,603 men had been returned to the institution program from outpatient status. This represents 29% of the total men who experienced outpatient supervision during the year, and was the lowest percentage returned since 1963, the second year of the program.

   Of the men experiencing outpatient supervision, 1,411, or 25%, were returned without a new civil narcotic commitment and 192 men (3%) were returned with a new civil narcotic commitment.[38]

4. Figures depicting the number of male outpatients returned to the institution over a three year period are shown in Table XI.

TABLE XI
OUTPATIENTS RETURNED TO INSTITUTION

CALENDAR YEAR	TOTAL MALE CIVIL ADDICTS EXPERIENCING OUTPATIENT SUPERVISION	TOTAL OUTPATIENTS RETURNED	
		NUMBER	PERCENT
1968	3,814	1,641	43
1969	4,553	1,709	38
1970	5,610	1,603	29

The figures show that despite a yearly increase in outpatient population, there has for each of three years also been a decrease in the percent of persons returned to institutional status. They also demonstrate that the Civil Addict Program is making very good progress in its resolve to release individuals to outpatient

status in increasing numbers, and, through close supervision to keep them in the community for the longest possible period of time.

5. In March 1970, a report was released concerning successful discharges from the Civil Addict Program.[39] Figures contained in the report indicate that of a total of 11,995 commitments to the program, 15.8% were successfully discharged as of December 31, 1969. As of that same date, 3,891 persons were considered to be discharge "eligible"; i.e., although not eligible for discharge as of December 31, 1969, "many of these persons doubtless will gain discharge before expiration of the seven year program."[40]

Program Effectiveness from the Client's Point of View. Task Force staff made contact with approximately fifty clients through both personal interviews and the administration of questionnaires. In the process, it was discovered that clients fell into two quite distinct groups. One group evidenced great suspicion as to purpose of the study, saw little merit in the parole system, and proved extremely resistant to discussion of any kind. (Client reaction to anti-narcotic test controls will be discussed at a later point.) The second group, on the other hand, talked quite freely about themselves, and about NAOP as well. Several persons in this group showed amazing insight as to the genesis of drug addiction in their observation that life long dependency patterns were associated with addiction. In this connection, those with a long history of addiction, and whose early treatment was strictly institutional, viewed the newer community treatment approach as frightening. They said that whereas earlier they had been able to transfer dependence on narcotics to dependence on the institution, they are now "forced" back to drug dependence.

No attempt can be made here to judge the validity of this argument, but from a psychological point of view, it is not without merit. Also to be taken into account is the fact (as described by NAEA) that relapsed persons (or those fearful of becoming so) come to CRC daily requesting re-entry. Whether this is reflective of dependency needs or a determined effort to ward off re-addiction would have to be assessed on a case to case basis.

In terms of the general addict population, it must be recognized that it is largely composed of persons with whom other agencies have failed and therefore rejected, and of individuals with widely disparate backgrounds and abilities. The one thing they appear to share in common in the lack of motivation for doing anything about their addiction. With these points in mind, it was not surprising that client reactions to treatment were so often found to be negative.

The Narcotic Addict Evaluation Authority View of Program Effectiveness. Next to be considered is how the program looks from NAEA's point of view. Salient findings are as follows:

1. Although the legal criterion for discharge is two drug-free years on an outpatient basis, NAEA administrators do not consider that this alone constitutes success. They would add:

   a. Any time the program can maintain, at one period or another, some 4,000 persons on outpatient status, then success has been achieved. (The NAEA anticipates a client population of over 7,500 in the community by 1975.)

   b. Any observable sign of improvement over the addict's prior behavior pattern can be considered a success.

   Further:

   c. A person returned to the institution for additional inpatient treatment is not a failure per se.

   d. A person returned for Limited Placement is not considered a failure simply because he requires additional treatment.

   e. A gate turn-in is not considered a failure when he recognizes that he needs additional assistance.

   f. A client who tells his parole agent that he has used drugs once or twice is not considered a failure.

   g. One of the most difficult aspects of rehabilitation is trying to motivate the addict to want to abstain from drug use. Any act on his part to seek further help is construed to mean there has been a change in his attitude, that there is now motivation for abstinence, and that success for him can therefore be claimed.

In sum, program effectiveness is viewed as a relative matter, with the accent on success rather than failure but still avoiding unrealistic expectations.

2. In the early years of the program, the commitment rate was approximately 75% misdemeanants. At present time, over 80% of commitments are felons. Many of these are hard-core cases who support their addiction through criminal involvement. The NAEA stated that California has experienced some success with extremely hard-to-

> reach individuals, but at the same time raised question as to whether any authorities, correctional or medical, really know how to deal with the heroin addict who is also primarily criminally oriented.

Comment. NAEA's question is pertinent, and perhaps one to which there may never be a completely satisfactory answer. For example, the fact that by 1975 there will be an anticipated 7,500 persons receiving treatment in the community is heartening in the sense that it gets addicts back into the main stream of community living, where employment, education, and community services are available and can be utilized. But there are other questions to be considered: Does the 7,500 figure refer only to newly addicted (or newly detected) persons not yet involved in the Civil Addict Program, or does it also account for a given rate of relapse among those presently in the program? Is there not some possibility that the predicted sizeable increase in outpatient population will reduce efforts at concentrated supervision and concomitantly increase relapse rates?

Glaser looks to research as at least a partial solution to these troublesome issues.

> "Perhaps the most basic problem still to be solved in the evaluation of narcotic addiction treatment is that of maintaining a continuous interaction between research answers and research question. Obviously, as we answer a question, such as 'What is the relapse rate?' we are in a position to raise more sharply qualified questions; e.g., 'What are the differences in relapse rate for different types of addicts?' Perhaps a more important question is: 'What typology of addicts will reveal the largest differences in relapse rate for a given type of treatment?' Always crucial are the questions: 'What can we learn from the negative findings? What treatment would have been more effective with those addicts who do not seem to have been helped by the treatment studied?' For those ex-addicts who appear to have been treated successfully: 'What aspects of the treatment were most beneficial, or were apparent benefits actually independent of treatment? How is the relapse affected by post-treatment circumstances rather than by the treatment? What aspects of these circumstances most crucially affect the outcome of treatment? What are variations in relapse rate according to different criteria of relapse?'"[41]

Glaser's message is an important one taken to mean that although there may not now exist any real "experts" in the field of drug addiction, there is, or could be, a vehicle available for developing a much fuller and more concrete body of knowledge about addiction than presently obtains.

Constructing such a vehicle would be hard work and certainly could not be done overnight. But the challenge is there. All that remains is for California to accept the challenge.

VI. SUMMARY

This chapter has dealt with California's Civil Addict Program. A beginning groundwork was laid in which narcotic laws at the Federal level were reviewed along with those of California's civil commitment provisions and procedures.

Following was description of the Narcotic Addict Evaluation Authority, the California Rehabilitation Center, and the Narcotic Addict Outpatient Program, the three bodies responsible for the Civil Addict Program as designated by law. The foremost point here was that although these are separate entities, operationally they are highly interdependent and interrelated. This must constantly be kept in mind in efforts to understand their respective functions. The primary objective was to examine the structure and function of NAOP. Major areas covered were: administrative structure; program philosophy; training needs in connection with the program; treatment methods; and program effectiveness.

Predominant study findings were as follows:

1. Organizational structure, though basically satisfactory, is nevertheless fragmented, and thus tends to interfere with smooth program operation rather than to encourage it.

2. The official philosophical stance is unusually progressive and should provide the base for parole practice throughout NAOP. However, program staff are of divided opinion regarding the current philosophy. Some approve, some do not. Administrative efforts to accommodate to the situation have not thus far proved successful.

3. There is urgent need for an in-service training program which will assist parole agents in their daily practice.

4. Treatment methods are quite well diversified, but many outpatients are distrustful of efforts to help them. They especially resent the anti-narcotic testing aspect of the program.

5. Though success of the program was gauged in considerable part by the increasing numbers of persons released to outpatient status, this was by no means the sole criterion. From NAEA's perspective even the smallest improved change in an addict's attitude and behavior was considered to mean that he had benefitted both from the program and from his own efforts.

From the broad view, however, program administrators questioned whether there exists within any professional setting adequate knowledge as to how best to treat persons who are both drug-addicted and given to criminal behavior. The challenge for California is to set about obtaining this information, the need for which has been amply demonstrated.

FOOTNOTES

[1]Colorado Legislative Council, Dangerous Drugs and Drug Abuse Control, report to the Colorado General Assembly, Research Publication No. 127. (December, 1967), p. 33.

[2]General statutory notes for states applying the Uniform Narcotic Drug Law may be found in the Colorado Legislative Council reference cited above. California and Pennsylvania laws are generally comparable to the Uniform Law except that California law specifically provides for treatment of addicts. Pennsylvania law is unique in its provision for both narcotics and dangerous drugs. Most states handle them in separate statutes.

[3]Ibid., p. 34 (A.R.S. Sec. 36-1022).

[4]Ibid., p. 34 (16 Del. C. Sections 4714, 4716).

[5]Ibid., p. 34 (Amended by L. 1935, C. 17120; L.1947, C. 23823, Sec. 2; L. 1949, C. 25035, Sec. 11; L. 1951, C. 26484, Sec. 10; L. 1953, C. 28233, Sec. 4, and L. 1955, C. 29615, Sec. 33, F.S.A. Sec. 398.18).

[6]State of Florida, Chapter 70-183, Committee Substitute for Senate Bills Nos. 246, 268, and 296, June, 1970, 4 pp.

[7]Ibid., p. 1.

[8]President's Commission on Law Enforcement and Administration of Justice, "Narcotics and Drug Abuse", The Challenge of Crime in a Free Society. (Washington: Government Printing Office, 1967), p. 215.

[9]Ibid., p. 220.

[10]Ibid., p. 228, (The President's Commission considered the $15 million as a bare minimum for the job to be done).

[11]Ibid., p. 211

[12]Ibid., p. 228.

[13]Ibid., p. 225.

[14]Ibid., p. 228.

[15]California Penal Code, Chapter 11, Title 7, Part III.

[16]Ibid.

[17]Roland W. Wood, Fight Against Addiction -- A Pioneering Approach, Department of Corrections, State of California (Sacramento, 1965), p. 2.

Footnotes

[18]Robinson v. California, 370 U.S. 660 (1962).

[19]California Welfare and Institutions Code, Section 3001.

[20]Taken from information provided by NAEA, April 1970.

[21]California Welfare and Institutions Code, Division 3, Article I, Section 3000.

[22]National Council on Crime and Delinquency, Advisory Council of Judges, Narcotics Law Violations, (New York: NCCD, 1964), p. 13.

[23]Department of Corrections, Parole and Community Services Division, "Philosophy", Narcotic Addict Outpatient Program Manual, State of California (Sacramento: 1965), (page number is not supplied in text).

[24]California Welfare and Institutions Code, Section 3000.

[25]Department of Corrections, Parole and Community Services Division, Narcotic Addict Outpatient Program Guide, State of California (Sacramento, 1971), p. 9.

[26]Ibid., p. 10.

[27]Ibid., p. 29.

[28]Ibid., p. 30.

[29]NAOP Manual, op. cit., Chapter II, paragraph II-01.

[30]Ibid., paragraph II-13.

[31]Ibid.

[32]Ibid.

[33]Ibid.

[34]Ibid.

[35]Ibid.

[36]NAOP Guide, op. cit., pp. 85-88.

[37]Information supplied by Department of Corrections, Narcotic Programs.

[38]Taken from materials provided by the NAEA.

Footnotes

[39]F. W. Forden and George Sing, "Civil Addict Program Effectiveness as Measured by Successful Discharges: An Administrative Information Report", Program Research Division, California Rehabilitation Center, (March, 1970), 3 pp.

[40]Ibid., p. 2.

[41]Daniel Glaser, "Problems in the Evaluation of Treatment and Rehabilitation Programs", Rehabilitating the Narcotic Addict. (Washington: Vocational Rehabilitation Administration, U.S. Department of Health, Education and Welfare, 1966), pp. 376-377.

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CHAPTER VI

COMMUNITY-BASED CORRECTIONAL PROGRAMS

Traditionally, correctional decision-makers have had to choose between total confinement and release to minimal supervision in the community. In recent years, however, a new trend has emerged. This has been the experimentation with unique types of community-based programs, ranging from group homes and halfway houses to non-residential centers which attempt to involve the high-delinquency urban ghettoes in the solution of their own problems. The philosophy behind this trend is that institutions are inherently undesirable places to commit people, that people respond more favorably to efforts to help them in an atmosphere of freedom rather than severe restriction and confinement, and that the public is protected just as adequately and far less expensively by the rapid release of most offenders to their homes under close supervision and assistance. The President's Commission on Law Enforcement and Administration of Justice, (already outdated in its discussion of community-based programs), underscores their significance:

> ". . . they offer a set of alternatives between regular supervision and incarceration, providing more guidance than probation [and parole] services commonly offer without the various disruptive effects of total confinement. The advent of these programs . . . and their recent growth . . . are perhaps the most promising developments in corrections today."[1]

As is true in many aspects of correctional planning and practice, California has been in the avant-garde in developing these types of programs. Both the youth and adult parole systems are committed to devising and putting into operation a range of community-based programs that are effective alternatives to institutionalization. However, the comparative value of such programs is still not documented and their full potential thus remains untapped.

Because of their importance, the Parole Task Force isolated for special study certain community-based programs that differ from traditional parole activities. Most of these programs are housed in facilities operated by the State or by private groups with whom the State contracts for services, and all tend to be located in urban ghetto centers. Those visited by Task Force staff included: (1) all four operated by the Department of Corrections; (2) six of the seven run by the California Youth Authority; and (3) three private facilities. Interviews were held with all levels of staff, including volunteers, and clients.

The following discussion is intended to point out how these programs exemplify progressive correctional planning and practice, to suggest that they be increasingly developed and expanded (not only by the State but also by local correctional agencies), and to offer some recommendations as to how they might be improved. Additional data regarding the value of community-based correctional centers may be found in the Prison Task Force Report.

I. FACILITIES OPERATED BY THE DEPARTMENT OF CORRECTIONS

The Department of Corrections has two Community Correctional Centers for male felons which are essentially halfway house programs. It also operates two similar facilities, one for males and one for females, as part of its civil narcotic program which will be discussed in the following section.

The Rupert Crittenden Center in Oakland and the new Central City Center in Los Angeles have common goals and are operated in a similar manner. Both were established to enable earlier release of some inmates from prison, to provide an alternative, in place of reconfinement, for some parolees who were "slipping" in the community, and to house a work furlough program close to actual job locations. Both centers accomodate sixty men each, thirty parolees and thirty men on work furlough. It should be noted that these facilities were not established to handle only the best risks. Rather, with the exception of work furloughees, residents tend to have a more extensive history of incarceration than most parolees, to have a more established anti-social pattern of behavior, and to be overly dependent and without adequate job skills.[2] In brief, these two centers house men for whom the alternative would otherwise be longer prison confinement rather than parole.

A short description of each facility is presented below, followed by general comments and observations. More detailed information on the California Department of Corrections Community Correctional Centers, including those for addicts, may be found in its annual report by the same title.[3]

Crittenden Center

Located in a high-delinquency area in downtown Oakland, Crittenden Center is a dilapidated former State office building. While close to employment, the center resembles a large rooming house in a run-down neighborhood. Residents are crowded three to five in small size rooms. Contraband and liaison between outsiders and residents are constant problems which center staff have not been able to remedy. Staff apologized for the lack of maintenance and the general shabby appearance of rooms and furnishings, but said there was no point in doing anything because the building will be torn down in the next year to make room for a freeway.

This is a sensible point of view at this period of time. However, since the center has been operational for six years, there is reason to question why so little has been done to improve the facility. Certainly its inadequacies are reflected in the low morale of its residents. Most work at menial tasks on temporary jobs, so there is little they can do to improve the situation. Nor is there much motivation for doing so since the average stay is only four weeks. The end result is a passive acceptance of poor living conditions which neither keeper nor kept seem inclined to do anything about.

On the positive side, there is some community involvement at Crittenden. For example, many community organizations and individual volunteers are active at the facility. In fact, this "exposure to citizens of all strata of society" is considered "probably the greatest program assist of the center".[4] However, some volunteers were critical of what they considered to be the rigid and punitive attitudes of professionals, particularly with regard to sending men back to prison. Of the 133 men released to the center in 1968, 20% were returned to prison within a year--slightly higher than the rate for all felons released for the same period.[5]

Central City Center

This facility is located in a predominately Black area of Los Angeles, close to light industry and transportation. The center is a former residential hotel. Physically, it has excellent potential for becoming a first-class residential treatment center. The facility is new and not yet operating to capacity. Staff, especially the center manager, are enthusiastic and pulling together to develop an outstanding operation.

Private individual rooms are available for each resident. Control is excellent, and is achieved without revealing the usual concern about security and contraband. An outdoor recreation space is provided, and plans are underway to remove presently inadequate kitchen and dining arrangements to a building next door which has been acquired.

Following the example of some juvenile facilities, Central City has recently provided accommodations for up to ten female residents on the administrative floor. This coeducational program is reportedly working well and is viewed by Task Force staff as a worthwhile experiment. Correctional authorities agree that few women need either lengthy incarceration or a high degree of custody. Hence, this type of program is particularly appropriate for women.

General Observations

The Adult Community Center programs can and should provide an excellent vehicle for the transition from a closed structured community to the free competitive community. However, there are respects in which the Department of Corrections has not assigned a high enough priority to this essential phase of contemporary corrections. Following are some of the reasons for this observation.

1. Centers are inadequately staffed. A ratio of one staff to five inmates may be acceptable in an institution, but a smaller operation, intended to provide strong support in the transitional phase, warrants a more generous ratio. The use of vocational rehabilitation as a resource is commendable. However, personality defects found in some clients justify the expense of employing a vocational counselor with specialized training in placing and counseling clients who are emotionally immature and who have a

poor self-concept. Correctional officers who are skilled in counseling should be employed at a higher grade than those who are trained to perform merely custodial duties. Also, at least two officers should be present during evening hours and/or weekends, when the impact of informal face-to-face contacts can be maximized.

2. There is conflict within individual programs. Despite assurances to the contrary by employees concerned, experience has indicated that there is often an incompatibility between those on parole and those still in custody under a work furlough program. It is difficult to apply different regulations and restrictions to one group and to expect the other group to conform to another set of standards. Some of these problems may be minimized by housing post-parole residents on an emergency basis only or, if possible, by keeping parolees and work furlough inmates in separate facilities.

3. The assessment of $3.00 per day for parolees and $4.10 per day for those working is again a factor that contributes to poor work furlough morale. It would be resolved if separate facilities were provided. It is perhaps unrealistic to expect work furlough inmates to pay for their custodial supervision.

4. Work furlough inmates are not furnished "dress-out" clothing when transferred to a work furlough base, but are required to seek employment in institution clothing, "hand-me-downs" donated by the community, or clothing purchased from their savings. Since part of the justification for a work furlough program is to bolster an inmate's self-image, the practice of sending work furlough residents out to seek employment or to work in obviously inferior clothing is self-defeating and degrading. What happens to the money saved by the practice? No one at either the Oakland or Los Angeles center could offer any logical explanation.

It should also be noted that although the State has approximately 1,600 work furlough participants, only 60 of them reside in community-based centers. For lack of an adequate supply of community centers, the remainder go to work from prisons or from local jails. This is regrettable since community facilities make for greater ease in getting to and from work, greater accessibility to vocational and educational programs, and greater efficiency in assisting inmates make the difficult transition back to the community. The Parole Task Force joins with numerous previous California studies and with both the Prison and Jail Task Forces in urging the increased use of furlough programs.[6]

II. FACILITIES OPERATED BY THE NARCOTIC ADDICT EVALUATION AUTHORITY

As part of its outpatient program from the California Rehabilitation Center (CRC) for narcotic addicts, the NAEA operates two halfway houses in the Los Angeles area. Their purpose is described as:

> ". . . one means of enabling the timely release of CRC residents to outpatient status after a minimal period of institutionalization and to provide close supervision in a controlled setting for outpatients, particularly during the critical period following release from an institution."[7]

The clientele are clearly "hard-core" in that they have a higher rate of prior outpatient failures, poorer work histories, and lower base expectancy scores than other CRC releasees. Yet, employment levels for residents of both centers tend to be extremely high and return rates to CRC are not much different than those of other releasees.[8]

Both centers are also used as "halfway in" facilities for persons experiencing adjustment difficulties in the community. Vinewood (the women's facility) also serves as a work furlough base in preparation for parole.

Parkway Center

Located in a former two-story motel, Parkway's physical facilities are excellent; they provide maximum control for up to 53 men with a minimum number of personnel. The location is convenient to light industry and public transportation. However, there is little in the way of planned program activities, and recreational opportunities are limited. Most interaction is simply a matter of informal contact between parole agents and clients.

Since this facility is used for civil commitments, the regulations are properly less stringent than at other facilities for adult felons. Urinalysis and other checks for drug use are administered routinely, and the claimed success rate for a 3-year period is about 18%. While this is a rather depressing statistic, it is far better than many other programs designed to cure hard drug addiction.

The main needs at Parkway are more staff, an employment counselor, and a more structured program of activities.

Vinewood Center

Vinewood is an attractive former apartment house in Hollywood for women releasees from CRC. The operation is more permissive than the male facility, but essentially the program is the same. One notable handicap is the lack of employment opportunities in the neighborhood. Another is that residents who

are unemployed may remain at the center throughout the day, a factor which does not encourage maximum effort at job-seeking. This is in contrast with the men's center where residents must vacate the premises and search for employment from 8:00 a.m. until 4:00 p.m. each week day.

General Comments

Morale of employees at both centers appeared to be good, although they mentioned the frustration of working closely with an essentially passive group of persons.

The major values of the NAEA's halfway houses are similar to those operated for adult felons. They enable the Authority to release a number of inmates earlier than would otherwise be the case, and they provide a supportive environment under closer supervision than would be available through straight parole. In brief, the existence of these halfway houses allows NAEA to take greater calculated risks in getting clients back to the community. They also make it possible to temporarily house persons who are starting to fail on parole (extremely common for addicts). Since most residents work and contribute to the cost of the centers, the State is spared not only the more expensive costs of lengthy confinement but also a portion of the expenses in these short-term facilities. The client's increased self-worth and pride in being productive and self-supportive, though difficult to measure, are perhaps of even greater value.

III. FACILITIES OPERATED BY THE YOUTH AUTHORITY

Following a pilot project in Watts, the Youth Authority established an additional six Community Parole Centers in July, 1969. The general program statement for all these centers is as follows:

> "Through centralization and concentration of resources, the Parole Center is designed to increase parole effectiveness by focusing on limited caseloads located primarily in economically depressed and socially disorganized urban areas. Parole services and consultation are to be available to wards, their families, community agencies, and institutional staff to enhance the concept of 'treatment continuum'."[9]

Primary program objectives are:

1. "Increased parole effectiveness by initiating relationships with wards, family members, and relevant community resources at intake. Maintaining these contacts through ward's institutional career and assisting institutional staff in programming and release planning.

2. "To modify behavior to enable wards to function delinquency-free and help to correct the distorted perceptions and attitudes of wards, their families and peers toward each other and social institutions.

3. "To alter identification of residents of these depressed areas and educate the larger community to the needs and problems of disadvantaged people to reduce the conflicts that reflect in attitudes and behavior of our target area wards."[10]

Since the Youth Authority itself provides an excellent description and evaluation of these programs in its annual progress report, there is no point in duplicating that information here. However, this Report will summarize what Parole Task Force staff perceived as the major strengths and weaknesses of these centers.[11]

First of all, the Community Parole Centers are making a unique effort to integrate institutional and parole services. Center parole agents are assigned at the time youth from their area are committed to the Youth Authority rather than at the point of parole. Further, while not always possible because of time and distance factors, parole agents at least attempt to participate in reception center and subsequent institutional staffing of wards, and to work with both the ward and his family before his release. Frequently they contact school administrators and prospective employers in an effort to develop a program for the youth prior to his return to the community. Some of these additional services are possible largely because caseloads for center agents have been reduced to an average of 20 parolees and 8 wards in institutions. Since institution-parole ties have been a traditional problem at the State level (largely due to georgraphy alone), this program is viewed as an extremely progressive stride.

The second noteworthy characteristic of these facilities is their aggressive effort to become an integral part of the community they serve. Their "caseload" is all of the Youth Authority wards (averaging 180), their families, and environment in a six to ten square mile area around the centers. While some of these facilities met with strong initial hostility (the first one was fire-bombed), staff determination to "work with people where and as they are" has helped to overcome much of this rejection and to build viable, community-based programs. Staff who fought to develop programs which met client needs, not just those of the system, and who possessed the ability to induce change by consensus rather than by mandate are largely responsible for what now appear to be quite successful operations in some of these centers.

Much has also been gained by involving the community in a wide variety of activities. These have included the opening of center recreational and other facilities to the entire local community; reciprocal participation in and sharing of facilities with other local groups and organizations; hiring of indigenous para-professionals; establishing of citizen advisory committees (in at least two centers); and cultivating a wide range of community resources and assistance, from baking birthday cakes to conducting sophisticated vocational classes.

A third impressive factor is the informal, open relationships between staff and clients fostered by an atmosphere in which there is "give and take" on a personal as well as professional level, i.e., where relationships are not simply "across the desk". A rather touching example was that of a Chicano youth who was obviously eager to discuss something with the Center Manager. Although the manager and Task Force staff were in conference, the Task Force member urged the manager to talk with the boy. What concerned the boy was the fact that he had lost the manager's nail clippers. The conversation was somewhat as follows:

Manager: "Did you find them, Ramon?"

Ramon: "No, Sir, but I worked this week, and wish to replace them."

Manager: "Forget it."

Ramon: "No sir. I have ten dollars left from my pay, and I wish to buy a new pair. Tell me what kind, please."

Manager: "I don't remember, Ramon. A cheap pair--less than a dollar."

The youngster departed, very pleased that he was able to repay a favor.

The above discussion is not meant to imply that all Community Parole Centers are functioning near maximum capacity, or that they are all at the same level of achievement. On the contrary, each of them has certain handicaps and problems. For example, the age span of clients is from 10 to 23 years, and makes it difficult to provide effective programs for all. The rising average age (currently over 19 years) suggests that increasing efforts must be made to program for a young adult population. Also, while theoretical caseload sizes are reasonable, in practice they are often considerably larger than the standard. Staff interviewed seemed to feel that their facilities were on the "bottom of the barrel" with respect to budget, requiring considerable ingenuity on the part of center managers to obtain needed equipment (which may, however, have indirect advantages if this results in a canvassing of the community to provide assistance and resources). Finally, there is still a certain amount of resistance if not bitterness toward the centers (as toward all symbols of the "establishment") by some members of the community. One Task Force member who talked personally with neighborhood residents near one center was told, "It's like having 'pigs' or a prison on your doorstep." Significantly, this assertion implies a negative attitude not only toward the "establishment", but also toward the system's clientele, even though resident and client are from the same neighborhood.

Because of the newness of these centers, little comparative data are available on recidivism or other criteria of effectiveness. However, after 15 months in the project, boys from the original Watts Center had a 34% violation rate, compared to 47% for boys in regular parole units.[12] Also, of the

246 wards released to all parole centers between July 1, 1969 and December 31, 1969, 15% violated parole within 6 months, compared to 28% of all wards statewide. Longer-range follow-up data will be available in the near future.[13]

IV. PRIVATELY OPERATED FACILITIES

One critical need for most parolees is the provision of better living conditions than those experienced prior to entry in the correctional system. It is obvious that the State cannot be expected to provide such living arrangements for all its charges. However, one resource that is being used with increased frequency is the privately-operated halfway house or group home. Task Force staff found several such residences, used partially or totally by the State, in Sacramento, Los Angeles, and the San Francisco Bay Area. Dedication of residence staff and esprit de corps among residents was generally apparent. While adequate financial support tends to be a perennial problem, privately operated facilities have certain advantages over those operated by correctional agencies. They tend to be considerably less restrictive, residents often feel they can trust the staff more than official agents who exercise legal controls over them, and living arrangements more closely resemble normal homes. In light of these advantages, administrators in the Department of Corrections are currently examining the feasibility of increased contractual arrangements with private facilities, with perhaps an accompanying decrease in Department-operated facilities.

V. ADULT PAROLE OUTPATIENT CLINICS

Both San Francisco and Los Angeles have parole outpatient clinics that appear to be adequately staffed, well supported programs. The staff in each consists of nine psychiatrists, eight psychologists, a psychiatric social worker, and clerical help. Each clinic serves about 500 clients per year.

Referrals are made by paroling authorities, parole agents, and courts. Priority is assigned to parole board cases, so that at times other, perhaps more vital, cases must await their turn. Nevertheless, the clinics are performing a needed service. They are essential to an effective community program and should be expanded as funds are available.

VI. RECOMMENDATIONS

34. The State should strengthen and expand its Community Parole Center Program for youth with increased emphasis on developing programs that will allow earlier institutional release and fewer returns.

35. In the event youth and adult services are consolidated, the State should experiment with using these Community Parole Centers for adults as well

as for youths. Otherwise, the Department of Corrections should increase its Community Correctional Centers but model them more after the Youth Authority's centers, i.e., with increased emphasis on integrating institutions and parole and on becoming an integral part of the community.

36. The State should expand its use of community-based work furlough centers for inmates, particularly for women, and should use them for other types of furloughs such as vocational training and educational programs.

37. The State should enact legislation permitting inmates on furlough to reside in privately operated facilities via contractual arrangements.

FOOTNOTES

[1]President's Commission on Law Enforcement and Administration of Justice, Task Force on Corrections, Task Force Report: Corrections, (Washington: Government Printing Office, 1967), p. 38.

[2]Department of Corrections, Parole and Community Services Division, Community Correctional Centers: 1970, State of California (Sacramento, December, 1970), p. ii.

[3]Ibid.

[4]Ibid., p. 4.

[5]Ibid., p. iii.

[6]Alvin Rudoff, et. al., "Evaluating Work Furlough", (paper submitted for publication to Federal Probation in 1971), (mimeographed); Fred Hoover, "Work Furlough Practices in California: 1968", San Mateo County Sheriff's Department (Redwood City, August, 1968), (mimeographed); California Taxpayers Association, Work Furlough Programs in California Counties, 1967-68: A Workload Study, (Sacramento, June, 1968); California Citizens Council, Work Furlough, A Time-Tested and Tax-Saving Program For Your Community, (Oakland: California Council of the National Council on Crime and Delinquency, April, 1966); James Robison, The California Prison, Parole and Probation System: Technical Supplement No. 2, A Special Report to the Assembly, (Sacramento, 1969), p. 112.

[7]Community Correctional Centers: 1970, op. cit., p. iv.

[8]Ibid., pp. v-vi.

[9]Department of the Youth Authority, Division of Rehabilitation, A Guide to Treatment Programs, State of California (Sacramento, April, 1970), p. 8.

[10]Ibid., p. 9.

[11]Department of the Youth Authority, Division of Research, Annual Progress Report of the Community Parole Center Program, State of California (Sacramento, December, 1970).

[12]Department of the Youth Authority, The Status of Current Research in the California Youth Authority, State of California (Sacramento, July, 1970), p. 38.

[13]Annual Progress Report of the Community Parole Center Program, op. cit., p. 90.

CHAPTER VII

CALIFORNIA PAROLING AUTHORITIES

Because of their critical and intertwined roles in institutional and parole decision-making, the various paroling authorities have been mentioned frequently in this and other Task Force Reports. However, there has been no systematic examination of their characteristics and functions. That is the task of this chapter. The approach of this chapter will be to discuss the four boards generically and individually: to describe their similarities and differences in structure, to discuss their various duties and methods of carrying out their respective responsibilities, and to suggest directions for improvement.

I. CHARACTERISTICS

Table XII presents, in capsulized form, a gross descriptive picture of the four paroling authorities. A number of significant differences between the boards may be seen. The Women's Board and Narcotic Addict Evaluation Authority are part-time boards, do not use hearing representatives, and are not confirmed by the Senate. Only the Adult Authority and Women's Board set terms for inmates and both boards are restricted by statutory minimum sentences for every commitment. Most significant are the vast differences in median terms of offenders under jurisdiction of the various paroling authorities. For example, adult male felons average twice as long in confinement as women felons and four times as long as juvenile offenders (many of whom are committed from the same adult courts for similar offenses). Finally, while the number of total actions taken and the parolee caseloads vary markedly from one board to another, only the Youth Authority Board seems to have an excessive number of cases per decision-maker. However, the Adult Authority and Youth Authority rely very heavily on hearing representatives to make individual case decisions.

Structure

The Parole Task Force agrees with the President's Crime Commission that the paroling function should belong to "an independent decision-making group within a parent agency".[1] As with the courts, the parole boards serve both as representatives of the public and as an essential part of the "check-and-balance" structure of criminal justice. Hence, as with the courts, they must have the power to make decisions independent of political pressures, recommendations of professional correctional staff, and any other influences. On the other hand, their job is so interwoven with that of institutional and parole staff that the need for coordination, mutual respect, and a "teamwork" attitude is critical. This is fostered by having the boards within the same "parent agency", viz. the Human Relations Agency, as is the balance of the State correctional apparatus. For the most part, California already complies with these concepts.

TABLE XII
CHARACTERISTICS OF CALIFORNIA PAROLING AUTHORITIES

	ADULT AUTHORITY	YOUTH AUTHORITY	WOMEN'S BOARD	NARCOTIC ADDICT EVALUATION AUTHORITY
Jurisdiction	Adult male felons	Juvenile wards; adult offenders under 21	Adult female felons	Civilly committed adult narcotic addicts.
Number of Members Authorized by Statute	8	7	5 (part-time)	4 (part-time)
Number of Hearing Represnetatives	11	7	Exec. Off. may serve if no Bd. member available	None
Selection Procedure	App'td by Governor (confirmed by Senate)	App'td by Governor (confirmed by Senate)	App'td by Governor	App'td by Governor
Terms of Appointment	4 years	4 years	4 years	4 years
Statutory Authority	Term setting Parole grants Parole revoc. Discharge	Parole grants Parole revoc. Discharge	Term setting Parole grants Parole revoc. Discharge	Parole grants Parole revoc. Recomm. to court for discharge
Number of Actions Taken in 1970	40,177	48,000	4,999	11,086
Actions per Member or Representative	2,115	3,429	2,000*	2,049*
Number of Parolees on March 31, 1971	14,816	13,701	1,008	4,098
Minimum Term for Inmates	Set by statute	No statutory minimum	Set by statute	No statutory minimum
Median Terms in Confinement (1969-70)	36 months	9 months	18 months	11 months

*Workload divided by half the number of board members since they are part-time boards.

Selection and Appointment

Because of the importance of their decisions, in terms of public protection, effects upon the lives of individual offenders, and impact upon the rest of the correctional machinery, proper selection of competent and qualified board members is essential. Task Force staff concur with the suggested standards of the President's Crime Commission relative to board members:

> "The nature of the decisions to be made in parole requires persons who have broad academic backgrounds, especially in the behavioral sciences, and who are aware of how parole operates within the context of a total correctional process."[2]

> "(Members should be)...appointed by the Governor through a merit system...or from a list of candidates who meet the minimum requirements of education and experience. None of the parole board's members should be a person who is already a State official serving ex officio."[3]

Because they represent the public, parole boards should not consist solely of present or former correctional workers; however, members should have both knowledge and ability to utilize that knowledge about causes of law-violating behavior and methods of altering such behavior. In addition to being appointed by the Governor, all board members should be confirmed by the Senate (as is currently the case for two boards) so as to further assure the selection of the most competent individuals. To provide a continuity and evenness of justice and to avoid the sudden creation of totally new and inexperienced boards, an overlapping of terms seems appropriate. Consideration might also be given to extending the length of terms from four to six years to allow for an easier overlapping of terms and to provide greater continuity of parole board practices.

A violation of the above principles of independence, public representation, and elimination of ex officio memberships on parole boards occurs in the juvenile parole system where the Director of the Department of the Youth Authority is, by statute, not only a member of the Youth Authority Board, but its chairman. The problems which arise for parole staff from this combination of roles have been discussed in Chapter III. Quite aside from those issues is the fact that the Directorship of the Youth Authority is, by itself, an extremely demanding, difficult assignment, which would seem to require the undivided attention of even the most competent of administrators.

A more desirable alternative, in the view of Task Force staff, would be the formation of liaison committees (as was discussed in Chapter V relative to the Narcotic Addict Evaluation Authority) and the development of other means of coordination and cooperation. Since the youth parole board and the youth parole supervision department are both within the Human Relations Agency, the mechanics of such a coordinative effort should not be excessively difficult.

Recommendations. 38. All parole board members should be appointed by the Governor, through a process of merit selection, and should be confirmed by the Senate.

39. Appointments should normally be to full-time positions and should be for six year overlapping terms.

40. The Director of the Department of the Youth Authority should be neither the chairman nor a member of the Youth Authority Board.

41. All of the parole boards should form liaison committees with the appropriate institutional and parole staff to discuss and resolve problems of mutual concern.

Number and Size of Boards

The number and size of individual parole boards should be commensurate with their workloads and responsibilities. Some authorities argue that boards should be primarily policy-making in nature and should leave all but highly controversial, contested or appealed cases to hearing representatives. However, as all of California's board chairmen stressed, those persons who make the final decisions and who bear the ultimate responsibility for the paroling function should have as much "face-to-face" contact with their clients as possible. Simply reading folders and "rubber-stamping" case decisions would be both a boring and inane type of activity for highly qualified and highly paid individuals. More importantly, only "face-to-face" contact can provide some of the important "cues" on which to base individual decisions. Also, only through such "face-to-face" contact can there be developed an intimate knowledge about and feeling for the clients and the type of decisions to be made. Furthermore, as some board members pointed out, increasing numbers of cases are now highly controversial; as counties skim off more and more of the less serious offenders, this will be even more true in the future. Hence, the Parole Task Force suggests that full-time board members should hear the bulk of parole cases and should use hearing representatives only as necessary. On the other hand, many hearing representatives do an excellent job and should be available, on request, to each of the boards when workload so justifies.

Narcotic Addict Evaluation Authority. Since its creation, the NAEA has experienced a steady and rapid increase in its workload. With the spiralling rise of drug abuse in California, it appears clear that this workload will continue to expand, both in sheer numbers and in terms of the need for constantly developing new and sophisticated approaches to the problem. These factors, together with the above-mentioned values of having board members rather than hearing representatives hear cases, would seem to justify making the NAEA a full-time board, although the number of members might initially be reduced by one.

Women's Board of Terms and Parole. On the one hand, as will be seen later, the Women's Board is, in many respects, one of the most progressive. Its members are highly dedicated, were perceived by Task Force staff as being most involved with and concerned about its clientele, and tend to be among the most "risk-taking". Its procedural safeguards are also among the best. On the other hand, the issue of whether or not to retain a separate parole board for adult females has been raised repeatedly in California. Insofar as can be determined, California is the only State which operates such a Board, although Illinois and New York formerly had separate parole boards for adult females, but have discontinued them. It is also to be noted that both the Youth Authority Board and the Narcotics Addict Evaluation Authority serve female clients without the necessity of a separate parole board structure.

Historically, the Women's Board of Terms and Parole was created in the late 1920's as a "spin off" of a concentrated effort, led by the California Federated Women's Clubs, to remove female offenders from San Quentin Prison. When female felons were removed from San Quentin and housed separately at the old Tehachapi facility, the program, as well as the parole function, was placed under the direction of a Women's Board. In 1944, however, with the adoption of the California Prison Reorganization Act, all adult institutions were assigned administratively to the Director of Corrections. The Women's Board retained its term-setting and paroling powers. However, it surrendered its administrative responsibility, although it did assume an advisory role in respect to the women's facility.

On at least three occasions, during the terms of three successive Governors, question has arisen as to whether or not the Women's Parole Board (by whatever name it was currently known) should continue. In 1959, legislation abolishing the Women's Board was approved by the Legislature, but was vetoed by the Governor. The following quotation from a 1962 publication of the Youth and Adult Corrections Agency speaks to the issue:[4]

> "The role of women in our society has been gradually changing toward increasing equality with men, but there still remains in the public attitude some traditional feeling that women offenders should be dealt with less harshly than men. This probably rests on the fact that women's crimes tend to be less serious than those committed by men. Nevertheless, such attitudes toward female offenders tend to be more vague and far less strongly felt than the feelings and attitudes toward youth.
>
> "The majority of outside consultants concurred in the opinion that there is no real justification for a separate Board for adult women. One stated that the only reasons for a separate women's Board now are historical or sentimental. Many felt that having at least one woman member on an over-all Adult Authority should be mandatory. We concluded that there was little, if any, justification for retaining a separate women's Board.

"Recommendation

INTEGRATE THE WOMEN'S BOARD OF TRUSTEES INTO THE ADULT AUTHORITY.

"While we agree with the concept that "women are different", we could not find that, within offense groups, the characteristics of the offender, whether he be man or woman, are very different from a treatment standpoint. When the consultants stated that there should be separate decision-making bodies for adults and youth, they pointed out that whatever the differing needs and problems are between youthful male and female offenders, one decision-making body now meets them. It seems reasonable and logical that adults be handled in the same way, provided that one adult body gives appropriate consideration to whatever specialized needs, problems and public attitudes toward women may exist.

"Integration could bring into the Adult Authority some of the concepts which the Board of Trustees are now using. .....Integration would decrease Board administrative costs; provide a wider exposure to the problems of inmates and institutions; and offer the opportunity to exchange ideas across the State. The presence of "women's members" on the Adult Authority would also provide the same advantages to the present members of the Authority.

"The comparatively high cost of the trustees work and the part-time aspect of the operation which inhibits continuity of both administration and philosophy reduces the efficiency of the Board compared to the two other authorities. The fact that there is only one institution with a one-sex population could foster a provincial philosophy or could create an over-protective or hypercritical attitude on the part of members toward their cases."

As suggested in the 1962 report, a comparison of parole board costs, per action, also raises question as to whether or not the Women's Board should be continued. A comparison between the budget and number of actions heard by the Adult Authority and the budget and number of actions heard by the Women's Board reveals the following:[5]

Budget: 1971-72	Total Actions per Year (1969-70)	Approximate Cost per Action
Adult Authority - $851,000	40,177	$21.00
Women's Board - $130,000	4,999	$26.00

While the difference in cost per individual action is admittedly small (only $5), the cummulative savings would appear to be in the vicinity of $25,000 per year.

In summary, the issue of the future of a women's parole board presents a paradox. The present Women's Board has developed highly commendable practices, some of which might well be adopted by the other boards. Furthermore, elimination of the Women's Board might result in the loss of these progressive practices for women. However, when analyzed in comparison with other boards which successfully handle parolees of both sexes, and when viewed historically, a strong argument emerges for incorporating the present Board into an Adult Parole Board (with such a Board to include at least two female members, supplemented by female hearing representatives if necessary).

Recommendations. 42. Consideration should be given to integrating the Women's Board of Terms and Parole into the Adult Authority, in which case at least two women members should be added to the Adult Authority.

If this occurs, a Women's Advisory Committee should be created to advise the new Department of Correctional Services and all the boards on special concerns relative to women and girls.

43. The Adult Authority, Youth Authority Board, and Narcotic Addict Evaluation Authority should be renamed the Adult Parole Board, Youth Parole Board, and Narcotic Parole Board, respectively.

44. The Narcotic Parole Board should be made a full-time board.

Auxiliary Staff

The preceding section indicated the preference of having board members hear cases to the extent possible. However, to the degree necessary, each board should be able to hire, on a permanent or temporary basis, and through a system of merit selection, hearing representatives. Such representatives should be selected by and be responsible to the board and should assume whatever responsibilities are assigned by the board.

Additionally, each board should, through merit selection, hire an administrative officer to perform whatever duties it wishes to delegate.

Recommendation. 45. Each board should, through a process of merit selection, appoint an administrative officer and whatever number of hearing officers may be necessary, to perform whatever duties it wishes to delegate.

Training

The responsibility for balancing the scales of justice, the rights and needs of the individual versus the rights and needs of society, is an

unenviable assignment. The tasks of assessing readiness for parole, determining the necessity for return to an institution, and deciding on readiness for discharge are extremely difficult and complex. The need for not only proper background and qualifications, but also for relevant and ongoing training is obvious. Such training should include up-to-date knowledge of specific programs and resources both in the community and in each institution, a regular sharing of problems and concerns with institutional and parole staff, familiarization with community attitudes, basic legal training, principles for evaluating and modifying human behavior, instruction in the use of statistical predictive aids such as base expectancy tables, and exchange of information with other parole decision-makers, particularly those outside of California.

While it is true that parole board members in California have occasionally had opportunity to participate in parole institutes or parole seminars, as well as the opportunity to participate in professional conferences, both of a statewide and national level, these chances for training are infrequent, and, in the opinion of the Parole Task Force, do not provide adequate training in the areas previously enunciated.

Recommendation. 46. The proposed Department of Correctional Services and the various parole boards should form a training committee to develop specific training programs in correctional decision-making for all board members and hearing representatives, as well as for any correctional staff for whom it may be relevant.

Public Education

While the paroling authorities are among the most important elements within the correctional continuum, they are, to the general public, the least well-known. The boards should inaugurate a public education program, including publication of informational brochures and the publication and distribution of annual reports. This practice is presently followed by both the Department of the Youth Authority and the Department of Corrections, as well as by numerous local correctional programs; it should now be adopted by all of California's parole boards.

Recommendation. 47. Each California parole board should regularly publish and distribute both informational brochures and annual reports.

II. FUNCTIONS

The primary functions of parole boards are term-setting, granting parole and establishing the conditions of parole, revoking parole, and discharging from parole. An additional function sometimes performed by boards is institutional and program assignment and transfer. As stressed in the Juvenile Institution Task Force Report, this is a highly inappropriate task for the boards and should be left to institutional staff who are in a better position to make

individual treatment and custody decisions.

Term-setting

As Table XII shows, only the Adult Authority and Women's Board fix terms, i.e. set specific dates within the minimum and maximum time allowed by law for the release of each inmate. These terms, however, are only tentative and may be decreased or increased, within statutory limits, at any time. By statute, the minimum term for any felony is one year and for many crimes is five, ten, or more years. In keeping with the overall thrust of the Correctional System Study, only those persons who cannot be handled by local communities, even in local institutions, should be committed to the State. Hence, the minimum term of one year perhaps makes sense in that no one who does not need to be confined for at least one year should ever be sent to the State. On the other hand, progressive correctional thought argues that correctional decision-makers should not have their hands tied with unnecessary restrictions relative to the custody, supervision, and treatment of offenders. It is a common observation that decision-makers err in some cases and that individual offenders change more rapidly than anticipated; in short, what may have been or appeared to be a "good" decision at the time of sentencing or term-setting may subsequently become inappropriate. To be an effective, efficient, and just system, corrections must be flexible, i.e. it must be able to change earlier decisions and substitute alternative programs whenever appropriate. Mass processing or locking people up and in essence "throwing away the key" can no longer be acceptable correctional practice. Hence, excessive minimum terms are an anomaly and an undue constraint to a progressive correctional system. Accordingly, Task Force staff recommends strongly that all minimum terms be reduced to one year. It is important to realize that this is not a recommendation to release all offenders from prison in one year, nor is this likely to happen. Rather, it is viewed as removing unnecessary restrictions constraining the paroling authorities so that they can make the best possible decisions based on the needs and concerns of each individual case. Further support for this argument is found in the operations of the youth and narcotics boards which function without minimum terms, have median terms that are less than one year, and yet are at least as successful as the adult prison systems. In fact, with the exception of certain misdemeanor traffic violations, the prison system in the only part of the entire California correctional continuum in which there is a mandatory minimum period of incarceration which cannot, under any circumstances, be altered. In the opinion of the Parole Task Force, this is an anomalous situation without any real justification.

A major concern about term-fixing is that the boards may at any time re-fix terms for periods longer than those originally set. This occurs without a public hearing, without representation by counsel, and without provision for appeal. Thus the two boards which fix and re-fix terms have a power granted to no court and exercise it in a manner and under conditions not permitted in any court. A number of professionals and citizens view this as excessive discretionary authority.

Another criticism of term-fixing is the uncertainty it leaves in the minds of inmates (and staff), although some argue that this uncertainty or anxiety can often be used constructively to modify inmate behavior or at least to control their behavior within the institution.

To at least partially offset these concerns and yet adequately protect the public, it is suggested that the adult felon boards set terms as early as proper evaluation of inmates can be achieved; that, whatever the term initially set, regular reviews of each case be held (such as every six months after the first year) to determine whether the term can be safely reduced; that institutional staff be able to request such a review at any time they believe it to be appropriate; and that, once a term is set, the burden of proof be on the system to justify extending the term (more than minor violations of institutional rules should be necessary to justify such an extension).

Recommendations. 48. The California Penal Code should be amended to set one year as the minimum term to be served prior to parole for every person committed to state prison.

49. The Adult Authority and Women's Board of Terms and Parole or, if they are consolidated, the Adult Parole Board should set terms as soon as adequate evaluative materials are available. The burden of proof should be on the system to justify any subsequent extension of those terms.

50. All of the parole boards should review each case regularly (such as every six months) to evaluate whether individual inmates are ready for parole.

Granting Parole

The major concern of Task Force staff relative to the granting of parole, aside from minimizing the restrictions on the boards, is the excessively long median terms served by adult male felons. Table XII reveals the vastly longer median terms of inmates under jurisdiction of the Adult Authority (36 months) when compared with those in other parts of the State institutional apparatus (9 months for CYA wards, 11 months for CRC inmates, and 18 months for women felons). The Prison Task Force Report commented upon these excessive terms, pointing out that California incarcerates its adult male felons approximately 50% longer than the national average. The multiple values of reducing those terms were also elaborated on by the Prison Task Force.

Recommendation. 51. The Adult Authority should make every possible effort to reduce its median term for inmates to a period approaching the national average.

Conditions of parole. As discussed in some detail in the Probation Task Force Report, conditions of parole should be kept at a minimum and should be individually tailored to the needs of the specific case. In particular, they should never be so vague as to cause the parolee to violate without realizing that he is doing so.

Traditional practice of the California boards has been to impose a fairly long list of standard conditions and, in many instances, additional specialized conditions. While there has been a general tendency to make parole conditions less restrictive and to leave more discretion to individual parole agents, some standard conditions are still impractical and unenforceable (for example, "Do not associate with former inmates or individuals of bad repute", "Do not move, marry, drive a car, etc. without the prior permission of your parole agent", "Be a good citizen at all times"). Other conditions, notably those dealing with deprivation of civil rights, are so complicated that most parole agents do not understand them.

Recommendation. 52. Conditions of parole should be clear, kept to a minimum, and tailored to the individual case.

Revocation of Parole

One of the most controversial aspects of the paroling function today is the revocation process. On the one hand, traditionalists and conservatives frequently argue that the inmate should lose many of his legal rights and that he is, in fact, under a prison sentence until his parole is successfully completed. This argument stems from the accurate assertion that parole is a privilege rather than a right and that it is a trial period in the community in lieu of completion of the maximum term--a trial period that can be revoked by the paroling authority. On the other hand, more liberal elements contend that parolees should have essentially the same legal rights and safeguards as anyone else. One example of this view was the President's Crime Commission, which observed:

> "The offender threatened with revocation should . . . be entitled to a hearing comparable to the nature and importance of the issue being decided. Where there is some dispute as to whether he violated the conditions of his release, the hearing should contain the basic elements of due process--those elements which are designed to ensure accurate factfinding. It may not be appropriate to require the heavy burdens of proof required for criminal conviction, or to provide for jury trials. But the hearing should include such essential rights as reasonable notice of the charges, the right to present evidence and witnesses, the right to representation by counsel--including the right to appointed counsel--and the right to confront and cross-examine opposing witnesses. Parole Boards should have the power

to issue subpoenas; and subpoenas should be issued by Boards and courts upon a satisfactory showing of need."[5]

A gross descriptive picture of the revocation procedures followed by each of the boards is presented in summary form in Tables XIII through XV. While there are many variations in these procedures between the boards, each has basically a two-hearing process (except the NAEA) and each has made efforts to increase procedural safeguards that protect the parolee's rights.

Table XIII shows that each board conducts an initial hearing with two members or hearing representatives present to consider whether or not to suspend parole and remand the person into custody. Decisions are based solely on a written and verbal report from parole staff; neither the parolee nor any witnesses are present. These meetings are normally held weekly (with the exception of the Women's Board which meets only once a month), although the locations are very limited.

The major exception to this normal type of initial hearing occurs in the case of the NAEA which also makes a final decision at this hearing. In other words, the NAEA combines both hearings (suspension and revocation) into one. However, this Authority actually returns an estimated 50% of its violators to CRC by a phone decision which replaces a formal initial hearing. Whenever it seems appropriate, a parole agent and his supervisor can request their district or regional administrator to phone a board member and obtain a verbal order to suspend and return an outpatient to the institution. When this occurs, there is a subsequent hearing at the institution by two board members to confirm this decision by phone.

As seen in Table XIV, the parolee receives written notice of the charges against him, except those in the Narcotic Addict Outpatient Program who are informed of the charges orally. If the boards feel there is adequate cause, based on the written and verbal report of parole staff, they may suspend parole, in which case the parolee is almost always ordered into custody (many are already in custody due to action taken by local courts on new charges). A major concern of Task Force staff was the considerable variation in time spent in custody between suspension of parole and the formal revocation hearing. Although based on only a small number of parolees (22), the 38 day average time confined in reception centers awaiting disposition by the Adult Authority seemed particularly excessive. There appears to be no reason why the waiting period in reception centers for adults needs to be so much longer than the 5 to 14 working days set by Youth Authority Board policy for juvenile parolees.

An additional problem is the time spent in custody before delivery to the reception centers. Since the boards do not normally calculate these individual and average time delays, detailed information on time in custody before delivery was not available. However, the NAOP estimated that it requires about 18 days from the time a parole agent writes a violation report

TABLE XIII

INITIAL REVOCATION HEARING

	ADULT AUTHORITY	YOUTH AUTHORITY	WOMEN'S BOARD	NARCOTIC ADDICT EVALUATION AUTHORITY*
Scheduled Frequency of Hearing	Weekly	Weekly	Monthly	Weekly
Composition of Board	Two Board Members or Hearing Reps.	Two Board Members or Hearing Reps.	Two Board Members	Two Board Members
Form in which Charges are Submitted	Written Report	Written Report	Written Report	Written Report
Is Parolee Present?	No	No	No	No
Parole Staff Present?	Parole Supervisor	Parole Supervisor	Parole Supervisor or Agent	Parole Administrator or Supervisor
Witnesses Present?	No	No	No	No
Location of Hearings	State Office Buildings (S.F. & L.A.)	Reception Centers & Youth Training School (Chino)	State Office Buildings (L.A. & S.F.)	State Office Buildings (L.A. only)

*This is a one step hearing, i.e. the final disposition is made at this hearing (except in those cases where the initial decision to suspend and return is made by phone).

TABLE XIV

PRE-REVOCATION HEARING PROCEDURES

	ADULT AUTHORITY	YOUTH AUTHORITY	WOMEN'S BOARD	NARCOTIC ADDICT EVALUATION AUTHORITY
Does Parolee Receive Notice of Charges?	Yes	Yes	Yes	Yes
How are Charges Communicated?	Written	Written	Written	Orally
May Parole be Suspended?	Yes	Yes	Yes	Yes
Remanded into Custody (if suspended)?	Always	Virtually always	Always	Not necessarily but normally
Time in Reception Center Prior to Revocation Hearing	est. avg. 38 days	5 to 14 working days (by policy)	est. avg. 30 days	est. avg. 21 days*

* Since this is a one step hearing, this represents the average time in custody from the parole agent's writing of his report until delivery of the parolee to CRC. Twenty-one days is also the estimated average time spent in the Reception Center for those ordered returned by phone (roughly 50%) until a hearing to confirm the decision by phone.

until the matter is heard by the NAEA and an additional 3 days before the outpatient arrives at CRC. The outpatient is virtually always in custody during this time. The NAOP also estimated that the 18 day period could be reduced by at least 50% if there were adequate clerical assistance (which they have requested). In those instances when outpatients are suspended and returned to the institution by a phone decision of one board member (approximately 50% of the time), it takes about the same length of time (21 days) before a formal hearing is held to confirm the earlier decision. In the case of adult felons, there are also not infrequent instances when a parolee, under the jurisdiction of any board, is given a sentence in a local jail as the result of a new charge, yet parole revocation proceedings are not initiated until all or a large part of the sentence is completed. While it is recognized that the boards do not have control over all of these situations, it would appear that joint board-parole staff efforts could reduce some of the "dead" time spent by parolees awaiting revocation dispositions. Finally, the success of O.R. and other similar pre-trial release programs discussed by the Jail Task Force also raises question as to the necessity of virtually always remanding suspended parolees into custody and/or keeping them there until final disposition has been made of their case.

The nature of the revocation hearings, in which final dispositions or in some cases, recommendations, are made, tends to be informal, non-adversary, and administrative, rather than court-like. In those hearings which Task Force staff attended, parolees had adequate opportunity to make statements and present materials, although some individuals were not particularly adept at speaking for themselves. As Table XV reveals, all boards allow parolees to hire and confer with attorneys prior to the hearing. The attorneys may at least submit a written statement in behalf of their clients; in all except the Adult Authority, attorneys may also talk directly with board members either before or, in the case of NAEA, during the hearing. However, the boards have all avoided turning the hearings into formal, adversary proceedings (although the U.S. Supreme Court is currently considering a California case relative to the use of attorneys in parole revocation hearings[6]). Similarly, any witnesses may at least write to the boards prior to hearings. A strange inconsistency occurs in the case of the NAEA which is the only board which permits attorneys and witnesses to appear at the hearing itself, yet is the only board which does not permit the parolee himself to be present. In those board hearings where an attorney is not permitted, one possibility for assuring that the parolee has adequate opportunity and capability of "stating his case" would be to provide correctional staff, at the parolee's option, who could informally assist the parolee in presenting statements and materials to the board.

Some problems which effect the length of time a parolee spends in custody included infrequent (monthly) hearings by the Women's Board, unspecified time limits on continuances and postponements, and hearing of all cases in very limited locations (normally reception centers). Efforts might also be made, whenever appropriate, to consolidate initial and final revocation hear-

TABLE XV

REVOCATION HEARING

	ADULT AUTHORITY	YOUTH AUTHORITY	WOMEN'S BOARD	NARCOTIC ADDICT EVALUATION AUTHORITY
Scheduled Frequency of Hearing	Weekly	Weekly	Monthly	Weekly
Composition of Board	2 Board Members or Hearing Reps.	2 Board Members or Hearing Reps	2 Board Members	2 Board Members
Parolee:	Present	Present	Present	Not present
Attorney:	May write to Board	May write to or confer with Board prior to hearing	May write to or confer with Board prior to hearing	May appear in person at hearing
Witnesses:	May write to Board	Parents may confer with Board prior to hearing	May write to Board	May appear in person at hearing
Location of Hearing	Reception Centers	Reception Centers	California Institution for Women	State Office Building (L. A. only)
How Long can Hearing be Continued?	Unspecified time	Not more than 3 weeks	Unspecified but normally no more than 30 days	Normally 5 - 15 days
Confirmation Required	4 Board Members or Hearing Reps, incl.at least 2 Bd. Members	None	None (but hearing has 2 Board Members)	None (but hearing has 2 Board Members
Is an Appeal Procedure Available?	Yes	Yes	Yes	No
Notification of Board's Finding and Disposition	Parolee advised after hearing by CDC Staff	Parolee advised at hearing	Parolee advised at hearing	Parolee advised later by CDC Staff

ings as the NAEA has done. A further inadequacy is the lack of an appellate procedure for civil narcotic addicts.

An excellent practice employed by the Youth Authority and Women's Board is to inform the parolee of the disposition immediately at the end of the hearing. Task Force staff urges that the other boards follow this practice of directly, candidly, and immediately telling the parolee what the board feels is the most appropriate disposition for him and, of perhaps even greater importance, the reasons why (if he is to be reconfined, this should include what is expected of him to maximize his chances of an early parole). Even if, in the case of hearings by representatives, the disposition is not final, but rather is a recommendation which must be confirmed later by two board members, inmates definitely want to know what decision or tentative decision has been made and why. Since clients are subject, throughout the criminal justice system, to recommendations which must be approved by a higher level before becoming final, this would not be a foreign procedure to them.

In summary, Task Force staff believe that current revocation hearings and procedures are basically just and reasonable and offer only the above-noted suggestions for improvement. It is felt that, if the best procedural safeguards and practices used by the various boards are extended to all boards and codified to assure their permanence, the creation of an adversary situation (with hired or appointed attorneys, cross-examination of witnesses, etc.) is not only unnecessary to assure justice but would both cost the taxpayer additional funds and tend to slow down and burden the entire process with undue handicaps.

Recommendations. 53. Although many of the following procedural safeguards already exist in respect to revocation hearings, they should be adopted by all of the boards and should be codified:

1. *Boards should meet at least once a week to consider revocation matters.*

2. *Hearings should be conducted by at least two board members or hearing representatives; if hearing representatives are used, their decisions should be confirmed by at least two board members.*

3. *Written advance notice of the charges should be given to the parolee and, in the case of juveniles, to his parents as well.*

4. *The parolee should be present at least at his final revocation hearing.*

5. *The parolee should be able to hire and confer with an attorney prior to the hearing; attorneys should be able to write to and personally confer with board members prior to the hearing.*

6. *Any witnesses should be able to write to board members; parents of juveniles should be able to confer with board members prior to the hearing.*

7. *Correctional institutional or parole staff should be available, at the parolee's option, to assist him in "telling his story" to the board.*

8. *Every effort should be made to minimize the parolee's time in custody before disposition. The final revocation hearing should be held no more than 14 working days after the parolee is delivered to the reception center; hearings should not be postponed unless necessary and should never be postponed beyond 30 days unless it is absolutely crucial.*

54. All of the boards should conduct regular hearings in more major population centers of the State.

55. The Adult Authority, Women's Board of Terms and Parole, and Youth Authority Board should make efforts to consolidate initial and final revocation hearings whenever appropriate.

56. The board members or hearing representatives who hear a case should personally notify the parolee of their disposition or recommendation at the end of the hearing.

Discharge from Parole

Section 2943 of the Penal Code specifies that any adult felon who "has been on parole continuously for two years since release from confinement" (with the exception of those serving life terms) must have a board hearing within 30 days to determine whether or not he should be discharged. While this is viewed as progressive legislation, there are further improvements which could be made. First, suspension of parole for any reason, even though followed by reinstatement, is interpreted as interrupting the two years "since release from confinement"; accordingly, the two years must start over at the time of reinstatement. This situation could and should be remedied by specifying that the two years should run from the time of release from a prison or county jail sentence. Second, there is no need to prohibit "lifers" from being eligible for discharge after two years of successful parole, if it is otherwise deemed consistent with public safety. Third, provided that all minimum sentences are reduced to one year, there would be no reason to wait two years to consider dismissal in many cases (this is currently done because parole is considered part of the sentence). The great majority of parolees who violate do so within two years, so that two years should be the longest time anyone should remain on parole in the community without a formal hearing to be considered for discharge. It should be emphasized, however, that many parolees can be evaluated as good risks well before two years and should have the opportunity to be released at the time that is appropriate for them. For

example, the President's Crime Commission found that, on a nation-wide basis:

> "Violations on parole tend to occur relatively soon after release from an institution, nearly half of them within the first 6 months after offenders are released, and over 60% within the first year."[7]

Fourth, individual parole agents have the responsibility to inform and make recommendations to the boards at the earliest time that they feel individual parolees can be safely discharged. If minimum time barriers are reduced, parole staff should assume this responsibility to a much stronger degree than is currently the case. Fifth, in the event that a board denies discharge at the end of two years, that parolee should be entitled to another board review at least every six months thereafter. Finally, these conditions should, of course, apply to all the boards.

Recommendation. 57. All of the parole boards should hold a formal hearing to consider discharge for every parolee who has completed two years on parole since release from a prison, juvenile institution, CRC, or county jail sentence. In the event discharge is denied, the board should hold a subsequent hearing on that case at least every six months. In all of these hearings, the "burden of proof" should be on the parole system to justify retention of the parolee under supervision any longer. These requirements should be codified.

CHAPTER VIII

NATIONAL PROGRAM HIGHLIGHTS

In the belief that systems in other parts of the country were experimenting with specialized parole programs of interest to California practitioners, a questionnaire was developed and mailed to sixty-nine parole agencies throughout the country. Forty-nine jurisdictions responded. The aim of the questionnaire was to discover new or novel parole practices that might exist, especially with reference to treatment techniques, and to determine parole agency relationships with law enforcement, courts, volunteers, and community services.

As anticipated, questionnaire results showed a high degree of commonality among agencies. For example, most of them expressed awareness of the need for good rapport with law enforcement bodies and with vocational rehabilitation personnel, and many of them had developed methods to strengthen these relationships.

This is not to suggest that there were no differences among them. For example, though volunteers were used in many places, sometimes in highly organized fashion, some parole agencies did not utilize volunteers anywhere within their program. Also not all agencies had achieved the same degree of success in their endeavors, even where they were operating similar programs. However, the task here is not to make comparisons, but rather to report programs and projects which suggest a progressive or promising kind of parole programming.

It is recognized that some of the cited programs may be similar or identical to programs which are either in the design phase or already operational in California, and that some of the programs, for a variety of reasons, may not be applicable to California. However, the hope is that the practices of other states may offer some new and constructive directions for California. Highlights selected for inclusion will be presented in accordance with the questionnaire format.[1]

I. LAW ENFORCEMENT

1. To improve coordination, cooperation, and communication between the parole board and law enforcement agencies, parole board members in one state suggested to sheriffs and chiefs of police the idea of holding joint, regularly scheduled meetings. Law enforcement officials welcomed the plan and arrangements are now underway for the two groups to meet on a continuing basis.

2. Both probation and parole staff are working together with courts and county sheriffs' offices in connection with the above state's work-release program. A very important aspect of this mutual endeavor is that parole agents provide group counseling services to jail inmates in the state's larger cities.

3. Parole officers in one jurisdiction not only attend police training programs, but also conduct orientation sessions at law enforcement academies, police training institutes, colleges, and other training seminars. In turn, law enforcement officials speak at parole training sessions and provide access to law enforcement investigative information. In varying forms, this method of exchanging information is being used in several states, reportedly with good results.

4. A requirement of one parole training program is that newly employed parole agents must spend several nights out on patrol with local police officers. This program has been in operation for some time and is credited with providing parole agents much keener insight into the policeman's role in the correctional continuum.

5. Again in connection with training, one parole agency plans to establish a seminar, provisions for which specify that there shall be sixty hours of training primarily devoted to the police function, appropriate measures of self defense, court procedures, and related subjects. This plan is more ambitious than most, and could well pave the way for improved communication throughout the state's justice system.

6. In one state, there is a full-time law enforcement consultant on the central office staff of the Department of Corrections. His job is to keep abreast of trends and practices in the state's justice system so that he may then pass along needed information to law enforcement agencies throughout the state. This is another way of furthering the educational process, but perhaps even more importantly, it is a marked departure from the customary rigid barriers between one professional group and another.

7. One state has a group counseling program for juvenile parolees which is jointly handled by the department of probation and parole and local sheriffs' offices. This is an unusual blending of services which suggests excellent potential for reducing polarization between youth and the police, and for the development of different approaches in the group counseling process.

8. At the pre-release level in one jurisdiction, it is routine procedure for law enforcement officers to appear before inmate groups at the institution, and discuss the ways in which police officers can be of assistance to them in the open community. Inmates are encouraged to raise any questions they wish. Depending, of course, upon how skillfully these sessions are handled, this show of interest in the inmate's welfare could do much to reduce his fears and tensions concerning parole and concerning law enforcement.

II. COURTS

1. A plan initiated by superior court judges in one area, and just getting underway, is the formation of a Parole Board Liaison Committee to whom the parole board may turn for mutual consideration of new parole board plans and proposals. The first occasion for the board and the committee to meet

jointly concerned a board proposal that inmates be released directly on parole after they have completed a six-week diagnostic workup. The committee viewed the proposal favorably, a reaction which could well have gone the other way had there been no mutually agreed upon structure for dealing with unique suggestions of this kind.

2. Parole officer appointments in one instance are made by judges of courts of record from a list of eligible candidates submitted by the state's probation and parole board. This system permits a good degree of objectivity in officer selection and makes for amicable working relationships between the judiciary and the board.

3. There is an instance where courts, volunteers, and parole officers all work as a team. The volunteers are called court aides. An orientation program is provided whereby these individuals learn about general court procedures and about probation and parole functions. Following orientation, the volunteers record pre-sentence referrals, special conditions laid down for clients, and related types of paper work. While the program does not entirely relieve officers of courtroom duties, it does permit closer supervision of clients and more time for investigative assignments.

4. Another example of combined endeavor is a program involving the juvenile courts and their staff, institutional staff, and clients. The program is two-pronged: (1) The court provides regularly scheduled group training sessions wherein the various group therapies are studied; (2) On the basis of what has been learned in the training sessions, children recommended by institutional staff are brought into group therapy sessions, along with juvenile court probationers. Since the plan reportedly is producing highly satisfactory results, it would seem feasible to extend it to parolees; e.g., those children from institutions who responded well to the group treatment sessions might be continued in the same program upon release from the institution, thereby providing a continuity of service and perhaps a higher probability of good adjustment in the community.

5. In one state, the regional directors of the youth commission are responsible for setting up joint staff meetings between parole and court personnel. These meetings include line staff from both probation and parole as well as juvenile hall personnel. Reportedly, they have so successfully reduced communication barriers between the departments involved that plans are now underway for establishing a joint in-service training program.

6. Put into operation by a department of corrections is a plan whereby a parole officer is in attendance at each session of the juvenile court, whether or not cases to be heard involve parolees. If they do, it is expected that the parole officer will supply helpful information to the judge. If they do not involve parolees, but the judge's decision is to commit the offender, the officer counsels with the child and with his parents as to what commitment means and what can be expected as a result of the commitment. This approach serves not only to reduce client apprehension but also to relieve parental anxiety and concern.

7. While not new, a method which appears to work well in many jurisdictions is a provision for probation officers originally active on given cases to resume supervisory responsibilities for those now on parole status. The advantage here is that client exposure to several different caseworkers is held to the minimum possible. More importantly, if the original client-probation officer relationship was mutually satisfactory and (at that time) beneficial to the client, the client's chances of success on parole may be considerably improved.

8. The courts in one state began a year ago what will become annual judicial sentencing seminars. These seminars will be open to staff from the department of corrections, a shared training venture which should prove enlightening and helpful to both the judiciary and correctional personnel.

III. COMMUNITY SERVICES

1. A program presently intended only for juvenile probationers, but applicable to parolees as well, concerns the pooling of community resources for the training and rehabilitation of the youthful offender. As a condition of probation, youngsters are assigned to a local treatment center which they attend on a daily basis for approximately six months. At the center, they receive special vocational testing, vocational and related academic training, intensive individual and group counseling, and job placement service. This program is based on the theory that a primary cause of delinquency is poor learning habits and little or no success in the school setting. The basic aim, therefore, is to instill new learning habits and a more positive attitude toward the learning process. The schools, of course, play a major role in this program. Its thrust is definitely more academic than "rehabilitative" in the usual sense of that word. Clients are called students, and they receive academic credit for work done at the center. This program is achieving good results, not only because it is goal-oriented, but also because its rewards are tangible and specific.

2. Recently, one parole board began what are called on-site parole revocation hearings. The hearings are held in or near the community where the parolees reside, and accordingly are less disruptive of job and home activities. An important additional benefit is that parole board members are becoming much more knowledgeable as to what community resources are available to the parole violator. As a result, revocation is being used less frequently and alternative community services used in its stead. For example, not yet producing optimum results, but nevertheless holding good promise, are the local drug self-help rehabilitation programs whose participating members have assisted greatly in the rehabilitation of parole violators whose basic problem is drug addiction.

3. As stated at the beginning of the chapter, most states maintain close ties with departments of vocational rehabilitation. However, some few parole agencies have gone considerably beyond simple referral and consultation. Specifically, they have requested that vocational specialists be assigned on

a full-time basis to departments of probation and parole. Vocational rehabilitation agencies have met this request most willingly. Among the several advantages of this arrangement is the fact that the vocational specialists have an enormous opportunity to learn, at first hand, what the parole function entails. Further, because of numerous daily contacts with a wide variety of parolees, there is opportunity for specialists to create and apply new forms of rehabilitative programs.

4. Most correctional systems involved in the New Careers program have used it as a training and employment vehicle for ex-offenders and persons from minority groups. In one state, the decision was made to restrict the program to ex-offenders only. Within a very short period of time, the number of ex-offenders involved in the program went from five to twenty-two. Their performance has been most satisfactory and it is highly probable that increasing numbers of individuals will be drawn into the program.

5. One state is suggesting that unemployment compensation benefits be provided for released inmates in lieu of gate money. It is understood that the proposed act will ultimately be introduced by executive request. A plan of this sort, (should it offer equitable distribution of monies between parolees and the general public), could be highly beneficial to parolees and prison administrators alike.

6. Frustrated by its inability to work effectively with sexual exhibitionists, one correctional department made arrangements with a medical center whereby the center would accept referral of such cases. Exhibitionism is a complex and difficult psychological problem, so it is not likely, even under medical management, that all treatment outcomes will be favorable. Nevertheless, several persons previously considered "hopeless" cases have made exceptionally good progress at the center. As a result, the corrections department has now begun a similar program for drug addicted persons.

7. In cooperation with a Model Cities agency, one department of corrections is planning to open a community corrections center for thirty adult clients. The facility will be located in the Model Cities area, and will feature a variety of treatment approaches including work-release, pre-release guidance, and general counseling. Since the underlying reason for inaugurating the Model Cities program was to make goods and services equally available to all citizens in all communities, this move on the part of the department seems especially pertinent and very desirable.

IV. VOLUNTEERS

1. Two years ago, a probation and parole agency launched a comprehensive program to recruit and train citizen volunteers in an effort to involve the community in the correctional process. At the outset, the project involved only a small group of citizens who worked primarily with institutional inmates. Now, the program boasts over 600 persons who work with the clients throughout the correctional system. Not only do they serve in a supportive role to clients,

but they also assist professional staff in parole planning, locating employment sources, and providing transportation. This is an unusually large volunteer program, and is producing an observable impact on community attitudes toward parolees and probationers. Offenders and their problems are better understood and the public is more receptive to their needs.

2. Another corrections department is using volunteers in a statewide coordinated effort involving a professional/volunteer team approach to treatment processes. The department is finding that the presence and help of volunteers adds depth to their own supervisory efforts, and that their ideas for improved relationships with clients are often extremely applicable.

3. Another approach to the use of volunteers concerns a more comprehensive view of volunteer services than is normally encountered. Not only are personal services welcomed and used, but so too are those of groups and organizations who are willing to make their own resources available to the department, notably their physical facilities and personnel. The contention of the department is that there is no limit to the ways in which volunteer services can be used to good advantage.

V. SUPERVISION

1. A technique which appears to be working quite satisfactorily in one area is the use of adult ex-offenders as regular employers of youthful offenders. In operation for five years, the program is structured in such manner that the employer's past history is never revealed to the youth. The item does not indicate how many adults are available for this kind of treatment approach, but the program is indeed in keeping with today's trend toward using offenders in the rehabilitation process.

2. One state has developed an experimental program called Automotive Workshop. Initiated in 1969 by the juvenile parole staff, the purpose of the project is to provide an opportunity for parolees, probationers, and non-delinquents, twelve to eighteen years of age, to work together in repairing cars, selling used auto parts, and disposing of used auto equipment. Implementing this program involved the cooperative efforts of law enforcement bodies, the juvenile court, juvenile parole, local labor unions, schools, the YMCA, and many other civic bodies. It is one of the few known instances where community agencies working with both delinquent and non-delinquent children have come together in a common endeavor.

3. Out of concern that correctional personnel are often ill-prepared to deal effectively with specialized problems such as alcoholism, drug addiction, and severe personality disorders, one corrections department is experimenting with a program of assigning just one type of offender to a particular officer. The rationale is that intensive exposure to one kind of problem will bring about greater insight and understanding, and thereby enable the officer to be of more help to the client. Further, should the plan produce favorable results, those officers carrying specialized caseloads could subsequently serve as resource persons for other officers.

4. In another instance, the department of corrections has developed a short-term institutional program involving intensive daily group sessions for a period of approximately ninety days. Called the Institution Community Continuum, the program is handled by field service staff in an institution, is for juveniles, and covers both boys and girls. At the end of the ninety days, wards are released on parole where intensive supervision is continued and is provided by the same field staff who manage the program in the institution.

5. Caseloads are audited in one jurisdiction to provide a systematic recurring evaluation of each officer's performance throughout the department. The primary objective of the audit is to insure that staff are employing uniform and acceptable methods of supervision, and that department policy is followed. At the same time, the audit is not viewed as a policing action but rather as a way to help individual officers improve supervisory skills and techniques.

6. Not frequently, but in some places, the "store front" plan of supervision is being used. This is simply an arrangement whereby parole agents are located in communities and localities where crime rates are high instead of being lodged in a central office type of setting. The plan enables officers to handle crisis situations, avoids long client trips for reporting in, and tends to act as a crime preventive in some areas.

7. One state has taken the position that the more stringent the conditions of probation or parole, the less rewarding the response from clients. Now the prevailing notion is that probationers and parolees can quite safely be allowed to set their own restrictions and limitations without loss of face on either side.

VI. SUMMARY

The foregoing discussion has been based on information supplied by the majority of parole agencies throughout the country in response to a questionnaire designed by the Parole Task Force staff. The intent of the questionnaire was to elicit information regarding new and unusual kinds of parole programs, especially as these pertain to parole agency relationships with law enforcement agencies, courts, community service agencies, volunteer programs, and as they pertain to treatment techniques. Responses selected for inclusion in this presentation were described separately, according to respective questionnaire categories.

It will be noted that although brief editorial comment does appear occasionally, no attempt has been made to evaluate the programs cited. Correctional systems differ quite considerably, and because they do, what works very well in one state may have little or no applicability in another. The basic aim here has been solely to bring together a given body of knowledge some part of which may prove applicable and helpful to California's parole system.

FOOTNOTES

[1]It should be noted that some of the items selected were found in only one parole agency or state whereas others apply to more than one agency. In the latter case, the items were usually sufficiently similar to rule out the need for separate listing.

APPENDIX A

NAEA-NAOP-CDC POLICY STATEMENT: METHADONE MAINTENANCE PROGRAMS
(PARTICIPATION BY CIVILLY COMMITTED ADDICTS)

1. That the Methadone Maintenance Program should have the approval of the Research Advisory Panel.

2. That the outpatient (civilly committed addict) volunteer for such participation.

3. That, based on the following criteria, the Narcotic Addict may allow a civilly committed addict to participate in Methadone Maintenance:

   a. The outpatient shall be at least 21 years of age.

   b. The outpatient will have had a history of opiate drug involvement for at least five years.

      (Note: Criteria for length of involvement may be modified in individual cases as necessity warrants.)

   c. The outpatient will have a history of at least one prior detoxification and narcotic treatment failure.

      (Note: The detoxification should have occurred under proper medical supervision as opposed to in a "kick-pad", to insure that the outpatient had been substantially addicted to an opiate narcotic.

      The Narcotic Authority interprets a "narcotic treatment program failure" to mean a failure on the Civil Addict Program.)

4. The outpatient must have the prior approval of the Narcotic Authority before entering a Methadone Maintenance Program.

5. That the Methadone Program Administrator and staff work in cooperation with the Parole and Community Services Division staff (NAOP) to the effect that information of mutual interest is exchanged. Parole agents will be responsible to maintain regular contact with the program staff as an additional source to obtain collateral information in regard to the participant's conduct and welfare.

6. Regular nalline testing shall be discontinued for individuals in this program. Urinalysis testing will be done in accordance with P&CS Division standards, and reports of narcotic use (except methadone) will be submitted to the appropriate paroling authority.

7. That any outpatient accepted for a methadone program shall be prohibited from driving an automobile during the stabilization phase of the program (approximately two weeks). The local office of the Department of Motor

Vehicles will be notified of the name of each parolee or outpatient accepted into the program.

8. Persons accepted for a methadone program will be expected to conduct themselves according to established parole rules, regulations and policies.

9. That interpretation of these standards and implementation of the program shall be the responsibility of parole district administrators.

10. The goal of the (departmental) methadone program shall be to stabilize the individual's life pattern in such a way that he or she will be a contributing member of society without continuous dependency upon methadone. Thus it is intended that each participant will be encouraged to reduce and ultimately eliminate their need for methadone.

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